

CONFERENCE COMMITTEE REPORT FORM

Austin, Texas


May 27, 2017  
Date

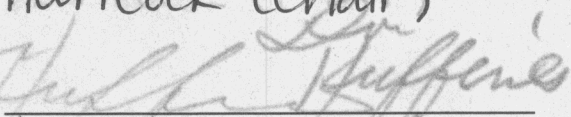
Honorable Dan Patrick  
President of the Senate

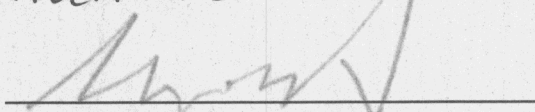
Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

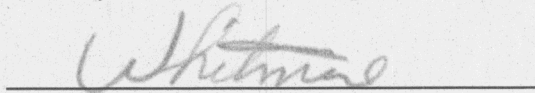
We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on SB 2065 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.


  
Hancock (Chair)

  
Huffines

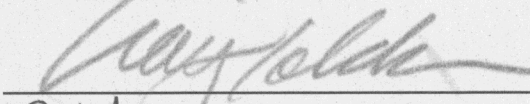
  
Schwertrner

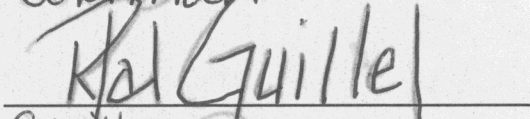
Taylor, Larry

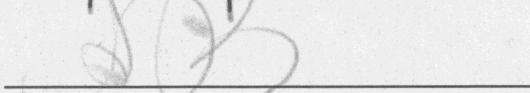
  
On the part of the Senate  
Whitmire

  
Kuempel (Chair)

Bailes

  
Goldman

  
Guillen

  
On the part of the House  
Hernandez

Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.





# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

S.B. No. 2065

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and regulation of certain occupations and activities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

ARTICLE 1. VEHICLE PROTECTION PRODUCTS

SECTION 1.001. Section 17.45, Business & Commerce Code, is amended by adding Subdivisions (14), (15), and (16) to read as follows:

(14) "Vehicle protection product":

(A) means a product or system, including a written warranty:

(i) that is:

(a) installed on or applied to a vehicle; and

(b) designed to prevent loss of or damage to a vehicle from a specific cause; and

(ii) under which, after installation or application of the product or system described by Subparagraph (i), if loss or damage results from the failure of the product or system to perform as represented in the warranty, the warrantor, to the extent agreed on as part of the warranty, is required to pay expenses to the person in this state who purchases or otherwise possesses the product or system for the loss of or damage to the vehicle; and

1                   (B) may also include identity recovery, as  
2 defined by Section 1304.003, Occupations Code, if the product or  
3 system described by Paragraph (A) is financed under Chapter 348 or  
4 353, Finance Code.

5                   (15) "Warrantor" means a person named under the terms  
6 of a vehicle protection product warranty as the contractual obligor  
7 to a person in this state who purchases or otherwise possesses a  
8 vehicle protection product.

9                   (16) "Loss of or damage to the vehicle," for purposes  
10 of Subdivision (14)(A)(ii), may also include unreimbursed  
11 incidental expenses that may be incurred by the warrantor,  
12 including expenses for a replacement vehicle, temporary vehicle  
13 rental expenses, and registration expenses for replacement  
14 vehicles.

15           SECTION 1.002. Section 17.46(b), Business & Commerce Code,  
16 as amended by Chapters 1023 (H.B. 1265) and 1080 (H.B. 2573), Acts  
17 of the 84th Legislature, Regular Session, 2015, is reenacted and  
18 amended to read as follows:

19           (b) Except as provided in Subsection (d) of this section,  
20 the term "false, misleading, or deceptive acts or practices"  
21 includes, but is not limited to, the following acts:

- 22                   (1) passing off goods or services as those of another;  
23                   (2) causing confusion or misunderstanding as to the  
24 source, sponsorship, approval, or certification of goods or  
25 services;  
26                   (3) causing confusion or misunderstanding as to  
27 affiliation, connection, or association with, or certification by,

1 another;

2           (4) using deceptive representations or designations  
3 of geographic origin in connection with goods or services;

4           (5) representing that goods or services have  
5 sponsorship, approval, characteristics, ingredients, uses,  
6 benefits, or quantities which they do not have or that a person has  
7 a sponsorship, approval, status, affiliation, or connection which  
8 the person does not;

9           (6) representing that goods are original or new if  
10 they are deteriorated, reconditioned, reclaimed, used, or  
11 secondhand;

12           (7) representing that goods or services are of a  
13 particular standard, quality, or grade, or that goods are of a  
14 particular style or model, if they are of another;

15           (8) disparaging the goods, services, or business of  
16 another by false or misleading representation of facts;

17           (9) advertising goods or services with intent not to  
18 sell them as advertised;

19           (10) advertising goods or services with intent not to  
20 supply a reasonable expectable public demand, unless the  
21 advertisements disclosed a limitation of quantity;

22           (11) making false or misleading statements of fact  
23 concerning the reasons for, existence of, or amount of price  
24 reductions;

25           (12) representing that an agreement confers or  
26 involves rights, remedies, or obligations which it does not have or  
27 involve, or which are prohibited by law;

1           (13) knowingly making false or misleading statements  
2 of fact concerning the need for parts, replacement, or repair  
3 service;

4           (14) misrepresenting the authority of a salesman,  
5 representative or agent to negotiate the final terms of a consumer  
6 transaction;

7           (15) basing a charge for the repair of any item in  
8 whole or in part on a guaranty or warranty instead of on the value of  
9 the actual repairs made or work to be performed on the item without  
10 stating separately the charges for the work and the charge for the  
11 warranty or guaranty, if any;

12           (16) disconnecting, turning back, or resetting the  
13 odometer of any motor vehicle so as to reduce the number of miles  
14 indicated on the odometer gauge;

15           (17) advertising of any sale by fraudulently  
16 representing that a person is going out of business;

17           (18) advertising, selling, or distributing a card  
18 which purports to be a prescription drug identification card issued  
19 under Section 4151.152, Insurance Code, in accordance with rules  
20 adopted by the commissioner of insurance, which offers a discount  
21 on the purchase of health care goods or services from a third party  
22 provider, and which is not evidence of insurance coverage, unless:

23                   (A) the discount is authorized under an agreement  
24 between the seller of the card and the provider of those goods and  
25 services or the discount or card is offered to members of the  
26 seller;

27                   (B) the seller does not represent that the card

1 provides insurance coverage of any kind; and

2 (C) the discount is not false, misleading, or  
3 deceptive;

4 (19) using or employing a chain referral sales plan in  
5 connection with the sale or offer to sell of goods, merchandise, or  
6 anything of value, which uses the sales technique, plan,  
7 arrangement, or agreement in which the buyer or prospective buyer  
8 is offered the opportunity to purchase merchandise or goods and in  
9 connection with the purchase receives the seller's promise or  
10 representation that the buyer shall have the right to receive  
11 compensation or consideration in any form for furnishing to the  
12 seller the names of other prospective buyers if receipt of the  
13 compensation or consideration is contingent upon the occurrence of  
14 an event subsequent to the time the buyer purchases the merchandise  
15 or goods;

16 (20) representing that a guaranty or warranty confers  
17 or involves rights or remedies which it does not have or involve,  
18 provided, however, that nothing in this subchapter shall be  
19 construed to expand the implied warranty of merchantability as  
20 defined in Sections 2.314 through 2.318 and Sections 2A.212 through  
21 2A.216 to involve obligations in excess of those which are  
22 appropriate to the goods;

23 (21) promoting a pyramid promotional scheme, as  
24 defined by Section 17.461;

25 (22) representing that work or services have been  
26 performed on, or parts replaced in, goods when the work or services  
27 were not performed or the parts replaced;



1           (23) filing suit founded upon a written contractual  
2 obligation of and signed by the defendant to pay money arising out  
3 of or based on a consumer transaction for goods, services, loans, or  
4 extensions of credit intended primarily for personal, family,  
5 household, or agricultural use in any county other than in the  
6 county in which the defendant resides at the time of the  
7 commencement of the action or in the county in which the defendant  
8 in fact signed the contract; provided, however, that a violation of  
9 this subsection shall not occur where it is shown by the person  
10 filing such suit that the person neither knew or had reason to know  
11 that the county in which such suit was filed was neither the county  
12 in which the defendant resides at the commencement of the suit nor  
13 the county in which the defendant in fact signed the contract;

14           (24) failing to disclose information concerning goods  
15 or services which was known at the time of the transaction if such  
16 failure to disclose such information was intended to induce the  
17 consumer into a transaction into which the consumer would not have  
18 entered had the information been disclosed;

19           (25) using the term "corporation," "incorporated," or  
20 an abbreviation of either of those terms in the name of a business  
21 entity that is not incorporated under the laws of this state or  
22 another jurisdiction;

23           (26) selling, offering to sell, or illegally promoting  
24 an annuity contract under Chapter 22, Acts of the 57th Legislature,  
25 3rd Called Session, 1962 (Article 6228a-5, Vernon's Texas Civil  
26 Statutes), with the intent that the annuity contract will be the  
27 subject of a salary reduction agreement, as defined by that Act, if

1 the annuity contract is not an eligible qualified investment under  
2 that Act or is not registered with the Teacher Retirement System of  
3 Texas as required by Section 8A of that Act;

4 (27) taking advantage of a disaster declared by the  
5 governor under Chapter 418, Government Code, by:

6 (A) selling or leasing fuel, food, medicine, or  
7 another necessity at an exorbitant or excessive price; or

8 (B) demanding an exorbitant or excessive price in  
9 connection with the sale or lease of fuel, food, medicine, or  
10 another necessity;

11 (28) using the translation into a foreign language of  
12 a title or other word, including "attorney," "lawyer," "licensed,"  
13 "notary," and "notary public," in any written or electronic  
14 material, including an advertisement, a business card, a  
15 letterhead, stationery, a website, or an online video, in reference  
16 to a person who is not an attorney in order to imply that the person  
17 is authorized to practice law in the United States;

18 (29) [~~(28)~~] delivering or distributing a solicitation  
19 in connection with a good or service that:

20 (A) represents that the solicitation is sent on  
21 behalf of a governmental entity when it is not; or

22 (B) resembles a governmental notice or form that  
23 represents or implies that a criminal penalty may be imposed if the  
24 recipient does not remit payment for the good or service;

25 (30) [~~(29)~~] delivering or distributing a solicitation  
26 in connection with a good or service that resembles a check or other  
27 negotiable instrument or invoice, unless the portion of the

solicitation that resembles a check or other negotiable instrument or invoice includes the following notice, clearly and conspicuously printed in at least 18-point type:

"SPECIMEN-NON-NEGOTIABLE";

(31) [~~(30)~~] in the production, sale, distribution, or promotion of a synthetic substance that produces and is intended to produce an effect when consumed or ingested similar to, or in excess of, the effect of a controlled substance or controlled substance analogue, as those terms are defined by Section 481.002, Health and Safety Code:

(A) making a deceptive representation or designation about the synthetic substance; or

(B) causing confusion or misunderstanding as to the effects the synthetic substance causes when consumed or ingested; [~~or~~]

(32) [~~(31)~~] a licensed public insurance adjuster directly or indirectly soliciting employment, as defined by Section 38.01, Penal Code, for an attorney, or a licensed public insurance adjuster entering into a contract with an insured for the primary purpose of referring the insured to an attorney without the intent to actually perform the services customarily provided by a licensed public insurance adjuster, provided that this subdivision may not be construed to prohibit a licensed public insurance adjuster from recommending a particular attorney to an insured; or

(33) a warrantor of a vehicle protection product warranty using, in connection with the product, a name that includes "casualty," "surety," "insurance," "mutual," or any other

1 word descriptive of an insurance business, including property or  
2 casualty insurance, or a surety business.

3 SECTION 1.003. Subchapter A, Chapter 348, Finance Code, is  
4 amended by adding Section 348.014 to read as follows:

5 Sec. 348.014. TRANSACTION CONDITIONED ON PURCHASE OF  
6 VEHICLE PROTECTION PRODUCT PROHIBITED. (a) In this section,  
7 "vehicle protection product" has the meaning assigned by Section  
8 17.45, Business & Commerce Code.

9 (b) A retail seller may not require as a condition of a  
10 retail installment transaction or the cash sale of a motor vehicle  
11 that the buyer purchase a vehicle protection product that is not  
12 installed on the vehicle at the time of the transaction.

13 (c) A violation of this section is a false, misleading, or  
14 deceptive act or practice within the meaning of Section 17.46,  
15 Business & Commerce Code, and is actionable in a public or private  
16 suit brought under Subchapter E, Chapter 17, Business & Commerce  
17 Code.

18 SECTION 1.004. Subchapter A, Chapter 353, Finance Code, is  
19 amended by adding Section 353.017 to read as follows:

20 Sec. 353.017. TRANSACTION CONDITIONED ON PURCHASE OF  
21 VEHICLE PROTECTION PRODUCT PROHIBITED. (a) In this section,  
22 "vehicle protection product" has the meaning assigned by Section  
23 17.45, Business & Commerce Code.

24 (b) A retail seller may not require as a condition of a  
25 retail installment transaction or the cash sale of a commercial  
26 vehicle that the buyer purchase a vehicle protection product that  
27 is not installed on the vehicle at the time of the transaction.

1        (c) A violation of this section is a false, misleading, or  
2 deceptive act or practice within the meaning of Section 17.46,  
3 Business & Commerce Code, and is actionable in a public or private  
4 suit brought under Subchapter E, Chapter 17, Business & Commerce  
5 Code.

6        SECTION 1.005. Chapter 2306, Occupations Code, is repealed.

7        SECTION 1.006. (a) On the effective date of this Act:

8                (1) an action, including a disciplinary or  
9 administrative proceeding, pending under Chapter 51 or 2306,  
10 Occupations Code, on the effective date of this Act related to an  
11 alleged violation of Chapter 2306, Occupations Code, as that  
12 chapter existed immediately before the effective date of this Act,  
13 is dismissed;

14                (2) the Vehicle Protection Product Warrantor Advisory  
15 Board is abolished; and

16                (3) a registration issued under former Chapter 2306,  
17 Occupations Code, expires.

18        (b) As soon as practicable after the effective date of this  
19 Act, the Texas Commission of Licensing and Regulation shall repeal  
20 all rules regarding the regulation of vehicle protection product  
21 warrantors adopted under former Chapter 2306, Occupations Code.

22        (c) An administrative penalty assessed by the Texas  
23 Commission of Licensing and Regulation or the executive director of  
24 the Texas Department of Licensing and Regulation related to a  
25 violation of Chapter 2306, Occupations Code, as that chapter  
26 existed immediately before the effective date of this Act, may be  
27 collected as provided by Chapter 51, Occupations Code.



1           (d) The repeal by this Act of Chapter 2306, Occupations  
2 Code, does not affect the validity or terms of a vehicle protection  
3 product warranty that was issued or renewed before the effective  
4 date of this Act.

5           SECTION 1.007. Section 17.46(b), Business & Commerce Code,  
6 as amended by this Act, applies only to a cause of action that  
7 accrues on or after the effective date of this Act. A cause of  
8 action that accrued before the effective date of this Act is  
9 governed by the law in effect immediately before the effective date  
10 of this Act, and that law is continued in effect for that purpose.

11          SECTION 1.008. Sections 348.014 and 353.017, Finance Code,  
12 as added by this Act, apply only to a transaction for the purchase  
13 of a motor vehicle or commercial vehicle, as applicable, that  
14 occurs on or after the effective date of this Act. A transaction  
15 for the purchase of a motor vehicle or commercial vehicle that  
16 occurs before the effective date of this Act is governed by the law  
17 in effect on the date the transaction occurred, and the former law  
18 is continued in effect for that purpose.

19                           ARTICLE 2. NOTARIES PUBLIC

20          SECTION 2.001. Section 17.46(b), Business & Commerce Code,  
21 as amended by Chapters 1023 (H.B. 1265) and 1080 (H.B. 2573), Acts  
22 of the 84th Legislature, Regular Session, 2015, is reenacted and  
23 amended to read as follows:

24           (b) Except as provided in Subsection (d) of this section,  
25 the term "false, misleading, or deceptive acts or practices"  
26 includes, but is not limited to, the following acts:

27               (1) passing off goods or services as those of another;

1           (2) causing confusion or misunderstanding as to the  
2 source, sponsorship, approval, or certification of goods or  
3 services;

4           (3) causing confusion or misunderstanding as to  
5 affiliation, connection, or association with, or certification by,  
6 another;

7           (4) using deceptive representations or designations  
8 of geographic origin in connection with goods or services;

9           (5) representing that goods or services have  
10 sponsorship, approval, characteristics, ingredients, uses,  
11 benefits, or quantities which they do not have or that a person has  
12 a sponsorship, approval, status, affiliation, or connection which  
13 the person does not;

14           (6) representing that goods are original or new if  
15 they are deteriorated, reconditioned, reclaimed, used, or  
16 secondhand;

17           (7) representing that goods or services are of a  
18 particular standard, quality, or grade, or that goods are of a  
19 particular style or model, if they are of another;

20           (8) disparaging the goods, services, or business of  
21 another by false or misleading representation of facts;

22           (9) advertising goods or services with intent not to  
23 sell them as advertised;

24           (10) advertising goods or services with intent not to  
25 supply a reasonable expectable public demand, unless the  
26 advertisements disclosed a limitation of quantity;

27           (11) making false or misleading statements of fact

1 concerning the reasons for, existence of, or amount of price  
2 reductions;

3 (12) representing that an agreement confers or  
4 involves rights, remedies, or obligations which it does not have or  
5 involve, or which are prohibited by law;

6 (13) knowingly making false or misleading statements  
7 of fact concerning the need for parts, replacement, or repair  
8 service;

9 (14) misrepresenting the authority of a salesman,  
10 representative or agent to negotiate the final terms of a consumer  
11 transaction;

12 (15) basing a charge for the repair of any item in  
13 whole or in part on a guaranty or warranty instead of on the value of  
14 the actual repairs made or work to be performed on the item without  
15 stating separately the charges for the work and the charge for the  
16 warranty or guaranty, if any;

17 (16) disconnecting, turning back, or resetting the  
18 odometer of any motor vehicle so as to reduce the number of miles  
19 indicated on the odometer gauge;

20 (17) advertising of any sale by fraudulently  
21 representing that a person is going out of business;

22 (18) advertising, selling, or distributing a card  
23 which purports to be a prescription drug identification card issued  
24 under Section 4151.152, Insurance Code, in accordance with rules  
25 adopted by the commissioner of insurance, which offers a discount  
26 on the purchase of health care goods or services from a third party  
27 provider, and which is not evidence of insurance coverage, unless:

1                   (A) the discount is authorized under an agreement  
2 between the seller of the card and the provider of those goods and  
3 services or the discount or card is offered to members of the  
4 seller;

5                   (B) the seller does not represent that the card  
6 provides insurance coverage of any kind; and

7                   (C) the discount is not false, misleading, or  
8 deceptive;

9                   (19) using or employing a chain referral sales plan in  
10 connection with the sale or offer to sell of goods, merchandise, or  
11 anything of value, which uses the sales technique, plan,  
12 arrangement, or agreement in which the buyer or prospective buyer  
13 is offered the opportunity to purchase merchandise or goods and in  
14 connection with the purchase receives the seller's promise or  
15 representation that the buyer shall have the right to receive  
16 compensation or consideration in any form for furnishing to the  
17 seller the names of other prospective buyers if receipt of the  
18 compensation or consideration is contingent upon the occurrence of  
19 an event subsequent to the time the buyer purchases the merchandise  
20 or goods;

21                   (20) representing that a guaranty or warranty confers  
22 or involves rights or remedies which it does not have or involve,  
23 provided, however, that nothing in this subchapter shall be  
24 construed to expand the implied warranty of merchantability as  
25 defined in Sections 2.314 through 2.318 and Sections 2A.212 through  
26 2A.216 to involve obligations in excess of those which are  
27 appropriate to the goods;

1           (21) promoting a pyramid promotional scheme, as  
2 defined by Section 17.461;

3           (22) representing that work or services have been  
4 performed on, or parts replaced in, goods when the work or services  
5 were not performed or the parts replaced;

6           (23) filing suit founded upon a written contractual  
7 obligation of and signed by the defendant to pay money arising out  
8 of or based on a consumer transaction for goods, services, loans, or  
9 extensions of credit intended primarily for personal, family,  
10 household, or agricultural use in any county other than in the  
11 county in which the defendant resides at the time of the  
12 commencement of the action or in the county in which the defendant  
13 in fact signed the contract; provided, however, that a violation of  
14 this subsection shall not occur where it is shown by the person  
15 filing such suit that the person neither knew or had reason to know  
16 that the county in which such suit was filed was neither the county  
17 in which the defendant resides at the commencement of the suit nor  
18 the county in which the defendant in fact signed the contract;

19           (24) failing to disclose information concerning goods  
20 or services which was known at the time of the transaction if such  
21 failure to disclose such information was intended to induce the  
22 consumer into a transaction into which the consumer would not have  
23 entered had the information been disclosed;

24           (25) using the term "corporation," "incorporated," or  
25 an abbreviation of either of those terms in the name of a business  
26 entity that is not incorporated under the laws of this state or  
27 another jurisdiction;



1           (26) selling, offering to sell, or illegally promoting  
2 an annuity contract under Chapter 22, Acts of the 57th Legislature,  
3 3rd Called Session, 1962 (Article 6228a-5, Vernon's Texas Civil  
4 Statutes), with the intent that the annuity contract will be the  
5 subject of a salary reduction agreement, as defined by that Act, if  
6 the annuity contract is not an eligible qualified investment under  
7 that Act or is not registered with the Teacher Retirement System of  
8 Texas as required by Section 8A of that Act;

9           (27) taking advantage of a disaster declared by the  
10 governor under Chapter 418, Government Code, by:

11                 (A) selling or leasing fuel, food, medicine, or  
12 another necessity at an exorbitant or excessive price; or

13                 (B) demanding an exorbitant or excessive price in  
14 connection with the sale or lease of fuel, food, medicine, or  
15 another necessity;

16           (28) using the translation into a foreign language of  
17 a title or other word, including "attorney," "immigration  
18 consultant," "immigration expert," "lawyer," "licensed," "notary,"  
19 and "notary public," in any written or electronic material,  
20 including an advertisement, a business card, a letterhead,  
21 stationery, a website, or an online video, in reference to a person  
22 who is not an attorney in order to imply that the person is  
23 authorized to practice law in the United States;

24           ~~(28)~~ (29) ~~[(28)]~~ delivering or distributing a solicitation  
25 in connection with a good or service that:

26                 (A) represents that the solicitation is sent on  
27 behalf of a governmental entity when it is not; or

(B) resembles a governmental notice or form that represents or implies that a criminal penalty may be imposed if the recipient does not remit payment for the good or service;

(30) [~~(29)~~] delivering or distributing a solicitation in connection with a good or service that resembles a check or other negotiable instrument or invoice, unless the portion of the solicitation that resembles a check or other negotiable instrument or invoice includes the following notice, clearly and conspicuously printed in at least 18-point type:

"SPECIMEN-NON-NEGOTIABLE";

(31) [~~(30)~~] in the production, sale, distribution, or promotion of a synthetic substance that produces and is intended to produce an effect when consumed or ingested similar to, or in excess of, the effect of a controlled substance or controlled substance analogue, as those terms are defined by Section 481.002, Health and Safety Code:

(A) making a deceptive representation or designation about the synthetic substance; or

(B) causing confusion or misunderstanding as to the effects the synthetic substance causes when consumed or ingested; or

(32) [~~(31)~~] a licensed public insurance adjuster directly or indirectly soliciting employment, as defined by Section 38.01, Penal Code, for an attorney, or a licensed public insurance adjuster entering into a contract with an insured for the primary purpose of referring the insured to an attorney without the intent to actually perform the services customarily provided by a licensed

1 public insurance adjuster, provided that this subdivision may not  
2 be construed to prohibit a licensed public insurance adjuster from  
3 recommending a particular attorney to an insured.

4 SECTION 2.002. Section 406.017, Government Code, is amended  
5 by amending Subsection (a) and adding Subsection (a-1) to read as  
6 follows:

7 (a) A person commits an offense if the person is a notary  
8 public and the person:

9 (1) states or implies that the person is an attorney  
10 licensed to practice law in this state;

11 (2) solicits or accepts compensation to prepare  
12 documents for or otherwise represent the interest of another in a  
13 judicial or administrative proceeding, including a proceeding  
14 relating to immigration or admission to the United States, United  
15 States citizenship, or related matters;

16 (3) solicits or accepts compensation to obtain relief  
17 of any kind on behalf of another from any officer, agency, or  
18 employee of this state or the United States;

19 (4) uses the phrase "notario" or "notario publico" to  
20 advertise the services of a notary public, whether by signs,  
21 pamphlets, stationery, or other written communication or by radio  
22 or television; or

23 (5) advertises the services of a notary public in a  
24 language other than English, whether by signs, pamphlets,  
25 stationery, or other written communication or by radio or  
26 television, if the person does not post or otherwise include with  
27 the advertisement a notice that complies with Subsection (b).

1        (a-1) A person does not violate this section by offering or  
2 providing language translation or typing services and accepting  
3 compensation.

4        SECTION 2.003. The change in law made by this article to  
5 Section 17.46(b), Business & Commerce Code, applies only to a cause  
6 of action that accrues on or after the effective date of this Act. A  
7 cause of action that accrued before the effective date of this Act  
8 is governed by the law in effect immediately before the effective  
9 date of this Act, and that law is continued in effect for that  
10 purpose.

11       SECTION 2.004. The change in law made by this article to  
12 Section 406.017, Government Code, applies only to an offense  
13 committed on or after the effective date of this Act. An offense  
14 committed before the effective date of this Act is governed by the  
15 law in effect when the offense was committed, and the former law is  
16 continued in effect for that purpose. For purposes of this section,  
17 an offense was committed before the effective date of this Act if  
18 any element of the offense occurred before that date.

19       ARTICLE 3. REPORT ON OCCUPATIONAL LICENSING BY COMPTROLLER

20       SECTION 3.001. Subchapter B, Chapter 403, Government Code,  
21 is amended by adding Section 403.03058 to read as follows:

22       Sec. 403.03058. REPORT ON OCCUPATIONAL LICENSING. (a) Not  
23 later than December 31 of each even-numbered year, the comptroller  
24 shall prepare and submit to the legislature a report regarding all  
25 occupational licenses, including permits, certifications, and  
26 registrations, required by this state. The report must include:

27           (1) for each type of license:

1                   (A) a description of the license;  
2                   (B) the department with regulatory authority for  
3 the license;  
4                   (C) the number of active licenses;  
5                   (D) the cost of an initial application for the  
6 license and for a renewal of the license; and  
7                   (E) the amount of state revenue generated from  
8 the issuance and renewal of the license; and  
9                   (2) a list of all statutory provisions requiring a  
10 license that were abolished during the previous legislative  
11 session.

12           (b) The comptroller shall post on its Internet website the  
13 report prepared under Subsection (a).

14           SECTION 3.002. Not later than December 31, 2018, the  
15 comptroller of public accounts shall provide the initial report to  
16 the legislature as required by Section 403.03058, Government Code,  
17 as added by this article.

18       ARTICLE 4. CERTIFICATE OF AUTHORITY; OVER-THE-COUNTER SALE OF  
19           EPHEDRINE, PSEUDOEPHEDRINE, AND NORPSEUDOEPHEDRINE BY  
20           ESTABLISHMENTS OTHER THAN PHARMACIES

21           SECTION 4.001. Sections 486.004(a) and (b), Health and  
22 Safety Code, are amended to read as follows:

23           (a) The department shall collect fees for[+  
24                   ~~[(1) the issuance of a certificate of authority under~~  
25 ~~this chapter, and~~  
26                   ~~[(2)]~~ an inspection performed in enforcing this  
27 chapter and rules adopted under this chapter.



(b) The executive commissioner by rule shall set the fees in amounts that allow the department to recover the biennial expenditures of state funds by the department in[+]

~~[(1) reviewing applications for the issuance of a certificate of authority under this chapter;~~

~~[(2) issuing certificates of authority under this chapter;~~

~~[(3) inspecting and auditing a business establishment that is issued a certificate of authority under this chapter; and~~

~~[(4) otherwise]~~ implementing and enforcing this chapter.

SECTION 4.002. Section 486.0142(b), Health and Safety Code, is amended to read as follows:

(b) On application by a business establishment that engages in over-the-counter sales of products containing ephedrine, pseudoephedrine, or norpseudoephedrine ~~[in accordance with a certificate of authority issued under Section 486.012]~~, the department may grant that business establishment a temporary exemption, not to exceed 180 days, from the requirement of using a real-time electronic logging system under this chapter.

SECTION 4.003. Section 486.012, Health and Safety Code, is repealed.

ARTICLE 5. TITLE ATTORNEY LICENSE; ATTORNEY'S TITLE INSURANCE COMPANY

SECTION 5.001. Section 35.001(2), Insurance Code, is amended to read as follows:

(2) "Regulated entity" means each insurer,

1 organization, person, or program regulated by the department,  
2 including:

3 (A) a domestic or foreign, stock or mutual, life,  
4 health, or accident insurance company;

5 (B) a domestic or foreign, stock or mutual, fire  
6 or casualty insurance company;

7 (C) a Mexican casualty company;

8 (D) a domestic or foreign Lloyd's plan;

9 (E) a domestic or foreign reciprocal or  
10 interinsurance exchange;

11 (F) a domestic or foreign fraternal benefit  
12 society;

13 (G) a domestic or foreign title insurance  
14 company;

15 (H) ~~[an attorney's title insurance company,~~

16 ~~(I)]~~ a stipulated premium company;

17 (I) ~~(J)~~ a nonprofit legal service corporation;

18 (J) ~~(K)~~ a health maintenance organization;

19 (K) ~~(L)~~ a statewide mutual assessment company;

20 (L) ~~(M)~~ a local mutual aid association;

21 (M) ~~(N)~~ a local mutual burial association;

22 (N) ~~(O)~~ an association exempt under Section  
23 887.102;

24 (O) ~~(P)~~ a nonprofit hospital, medical, or  
25 dental service corporation, including a company subject to Chapter  
26 842;

27 (P) ~~(Q)~~ a county mutual insurance company;

1                   (Q) [~~(R)~~] a farm mutual insurance company; and  
2                   (R) [~~(S)~~] an agency or agent of an insurer,  
3 organization, person, or program described by this subdivision.

4           SECTION 5.002. Section 82.002(a), Insurance Code, is  
5 amended to read as follows:

6           (a) This chapter applies to each company regulated by the  
7 commissioner, including:

- 8                   (1) a domestic or foreign, stock or mutual, life,  
9 health, or accident insurance company;  
10                   (2) a domestic or foreign, stock or mutual, fire or  
11 casualty insurance company;  
12                   (3) a Mexican casualty company;  
13                   (4) a domestic or foreign Lloyd's plan insurer;  
14                   (5) a domestic or foreign reciprocal or interinsurance  
15 exchange;  
16                   (6) a domestic or foreign fraternal benefit society;  
17                   (7) a domestic or foreign title insurance company;  
18                   (8) ~~[an attorney's title insurance company,~~  
19 ~~[~~(9)~~] a stipulated premium insurance company;~~  
20                   (9) [~~(10)~~] a nonprofit legal service corporation;  
21                   (10) [~~(11)~~] a health maintenance organization;  
22                   (11) [~~(12)~~] a statewide mutual assessment company;  
23                   (12) [~~(13)~~] a local mutual aid association;  
24                   (13) [~~(14)~~] a local mutual burial association;  
25                   (14) [~~(15)~~] an association exempt under Section  
26 887.102;  
27                   (15) [~~(16)~~] a nonprofit hospital, medical, or dental

1 service corporation, including a company subject to Chapter 842;

2 (16) [~~(17)~~] a county mutual insurance company; and

3 (17) [~~(18)~~] a farm mutual insurance company.

4 SECTION 5.003. Section 83.002(a), Insurance Code, is  
5 amended to read as follows:

6 (a) This chapter applies to each company regulated by the  
7 commissioner, including:

8 (1) a domestic or foreign, stock or mutual, life,  
9 health, or accident insurance company;

10 (2) a domestic or foreign, stock or mutual, fire or  
11 casualty insurance company;

12 (3) a Mexican casualty company;

13 (4) a domestic or foreign Lloyd's plan insurer;

14 (5) a domestic or foreign reciprocal or interinsurance  
15 exchange;

16 (6) a domestic or foreign fraternal benefit society;

17 (7) a domestic or foreign title insurance company;

18 (8) ~~[an attorney's title insurance company,~~

19 [~~(9)~~] a stipulated premium insurance company;

20 (9) [~~(10)~~] a nonprofit legal service corporation;

21 (10) [~~(11)~~] a statewide mutual assessment company;

22 (11) [~~(12)~~] a local mutual aid association;

23 (12) [~~(13)~~] a local mutual burial association;

24 (13) [~~(14)~~] an association exempt under Section  
25 887.102;

26 (14) [~~(15)~~] a nonprofit hospital, medical, or dental  
27 service corporation, including a company subject to Chapter 842;

1           (15) [~~(16)~~] a county mutual insurance company; and  
2           (16) [~~(17)~~] a farm mutual insurance company.

3           SECTION 5.004. Section 554.001, Insurance Code, is amended  
4 to read as follows:

5           Sec. 554.001. APPLICABILITY OF CHAPTER. This chapter  
6 applies to each insurer or health maintenance organization engaged  
7 in the business of insurance or the business of a health maintenance  
8 organization in this state, regardless of form and however  
9 organized, including:

- 10           (1) a stock life, health, or accident insurance  
11 company;  
12           (2) a mutual life, health, or accident insurance  
13 company;  
14           (3) a stock fire or casualty insurance company;  
15           (4) a mutual fire or casualty insurance company;  
16           (5) a Mexican casualty insurance company;  
17           (6) a Lloyd's plan;  
18           (7) a reciprocal or interinsurance exchange;  
19           (8) a fraternal benefit society;  
20           (9) a title insurance company;  
21           (10) ~~[an attorney's title insurance company;~~  
22           ~~(11)]~~ a stipulated premium company;  
23           (11) [~~(12)~~] a nonprofit legal services corporation;  
24           (12) [~~(13)~~] a statewide mutual assessment company;  
25           (13) [~~(14)~~] a local mutual aid association;  
26           (14) [~~(15)~~] a local mutual burial association;  
27           (15) [~~(16)~~] an association exempt under Section

1 887.102;

2           (16) [~~(17)~~] a nonprofit hospital, medical, or dental  
3 service corporation, including a corporation subject to Chapter  
4 842;

5           (17) [~~(18)~~] a county mutual insurance company;

6           (18) [~~(19)~~] a farm mutual insurance company; and

7           (19) [~~(20)~~] an insurer or health maintenance  
8 organization engaged in the business of insurance or the business  
9 of a health maintenance organization in this state that does not  
10 hold a certificate of authority issued by the department or is not  
11 otherwise authorized to engage in business in this state.

12       SECTION 5.005. Section 703.001, Insurance Code, is amended  
13 to read as follows:

14       Sec. 703.001. DEFINITION. In this chapter, "covered  
15 entity" means a health maintenance organization or insurer  
16 regulated by the department, including:

17           (1) a stock life, health, or accident insurance  
18 company;

19           (2) a mutual life, health, or accident insurance  
20 company;

21           (3) a stock fire or casualty insurance company;

22           (4) a mutual fire or casualty insurance company;

23           (5) a Mexican casualty insurance company;

24           (6) a Lloyd's plan;

25           (7) a reciprocal or interinsurance exchange;

26           (8) a fraternal benefit society;

27           (9) a title insurance company;

1           (10) ~~[an attorney's title insurance company,~~  
2           ~~(11)]~~ a stipulated premium company;  
3           (11) ~~(12)]~~ a nonprofit legal services corporation;  
4           (12) ~~(13)]~~ a statewide mutual assessment company;  
5           (13) ~~(14)]~~ a local mutual aid association;  
6           (14) ~~(15)]~~ a local mutual burial association;  
7           (15) ~~(16)]~~ an association exempt under Section  
8 887.102;  
9           (16) ~~(17)]~~ a nonprofit hospital, medical, or dental  
10 service corporation, including a corporation subject to Chapter  
11 842;  
12           (17) ~~(18)]~~ a county mutual insurance company; and  
13           (18) ~~(19)]~~ a farm mutual insurance company.  
14       SECTION 5.006. Section 802.051, Insurance Code, is amended  
15 to read as follows:  
16       Sec. 802.051. APPLICABILITY OF SUBCHAPTER. This subchapter  
17 applies to each company regulated by the commissioner, including:  
18           (1) a stock life, health, or accident insurance  
19 company;  
20           (2) a mutual life, health, or accident insurance  
21 company;  
22           (3) a stock fire or casualty insurance company;  
23           (4) a mutual fire or casualty insurance company;  
24           (5) a Mexican casualty company;  
25           (6) a Lloyd's plan;  
26           (7) a reciprocal or interinsurance exchange;  
27           (8) a fraternal benefit society;

- 1 (9) a title insurance company;
- 2 (10) ~~[an attorney's title insurance company,~~
- 3 ~~[(11)]~~ a stipulated premium insurance company;
- 4 (11) ~~[(12)]~~ a nonprofit legal service corporation;
- 5 (12) ~~[(13)]~~ a health maintenance organization;
- 6 (13) ~~[(14)]~~ a statewide mutual assessment company;
- 7 (14) ~~[(15)]~~ a local mutual aid association;
- 8 (15) ~~[(16)]~~ a local mutual burial association;
- 9 (16) ~~[(17)]~~ an association exempt under Section
- 10 887.102;
- 11 (17) ~~[(18)]~~ a nonprofit hospital, medical, or dental
- 12 service corporation, including a company subject to Chapter 842;
- 13 (18) ~~[(19)]~~ a county mutual insurance company; and
- 14 (19) ~~[(20)]~~ a farm mutual insurance company.

15 SECTION 5.007. Section 2551.053(a), Insurance Code, is

16 amended to read as follows:

- 17 (a) A ~~[Except as provided by Section 2552.053(b), a]~~ title
- 18 insurance company must have a paid-up capital of at least \$1 million
- 19 and a surplus of at least \$1 million.

20 SECTION 5.008. Section 2602.003(2), Insurance Code, is

21 amended to read as follows:

- 22 (2) "Agent" includes:
- 23 (A) a title insurance agent, as defined by
- 24 Section 2501.003; and
- 25 (B) ~~[a title attorney, as defined by Section~~
- 26 ~~2552.002; and~~
- 27 ~~[(C)]~~ a direct operation or a title insurance



1 company's wholly owned subsidiary or affiliate that performs the  
2 services usually and customarily performed by a title insurance  
3 agent.

4 SECTION 5.009. Chapter 2552, Insurance Code, is repealed.

5 SECTION 5.010. The changes in law made by this article do  
6 not affect the right of any individual licensed before the  
7 effective date of this Act to engage in the applicable occupation  
8 for the remainder of the term for which the license was issued.

9 ARTICLE 6. EMERGENCY MANAGING GENERAL AGENT LICENSE

10 SECTION 6.001. Section 4053.052, Insurance Code, is  
11 repealed.

12 SECTION 6.002. The changes in law made by this article do  
13 not affect the right of any individual licensed before the  
14 effective date of this Act to engage in the applicable occupation  
15 for the remainder of the term for which the license was issued.

16 ARTICLE 7. TEMPORARY COMMON WORKER EMPLOYERS

17 SECTION 7.001. Section 92.001(a), Labor Code, is amended to  
18 read as follows:

19 (a) The legislature finds that this chapter is necessary to:

20 (1) provide for the health, safety, and welfare of  
21 common workers throughout this state; and

22 (2) establish uniform standards of conduct and  
23 practice for temporary common worker [~~certain~~] employers in this  
24 state.

25 SECTION 7.002. Section 92.002, Labor Code, is amended by  
26 amending Subdivision (6) and adding Subdivision (6-a) to read as  
27 follows:

(6) "Labor hall" means a central location maintained by a temporary common worker employer [~~license holder~~] where common workers assemble and are dispatched to work for a user of common workers.

(6-a) "Municipality" has the meaning assigned by Section 1.005, Local Government Code.

SECTION 7.003. The heading to Subchapter B, Chapter 92, Labor Code, is amended to read as follows:

SUBCHAPTER B. AUTHORITY TO OPERATE [~~LICENSE REQUIREMENTS~~]

SECTION 7.004. Subchapter B, Chapter 92, Labor Code, is amended by adding Section 92.0115 to read as follows:

Sec. 92.0115. AUTHORITY TO OPERATE. Subject to Section 92.013 and unless prohibited by a governmental subdivision, a person may operate as a temporary common worker employer in this state if the person meets the requirements of this chapter.

SECTION 7.005. The heading to Section 92.012, Labor Code, is amended to read as follows:

Sec. 92.012. EXEMPTIONS [~~FROM LICENSING REQUIREMENT~~].

SECTION 7.006. Section 92.013(b), Labor Code, is amended to read as follows:

(b) A municipality with a population greater than one million may establish municipal [~~licensing~~] requirements that impose stricter standards of conduct and practice than those imposed under Subchapter C.

SECTION 7.007. The heading to Subchapter C, Chapter 92, Labor Code, is amended to read as follows:

1 SUBCHAPTER C. STANDARDS OF CONDUCT AND PRACTICE [~~POWERS AND DUTIES~~  
2 ~~OF LICENSE HOLDER~~]

3 SECTION 7.008. Section 92.021, Labor Code, is amended to  
4 read as follows:

5 Sec. 92.021. POWERS AND DUTIES OF [~~LICENSE HOLDER AS~~  
6 EMPLOYER. (a) Each temporary common worker employer [~~license~~  
7 ~~holder~~] is the employer of the common workers provided by that  
8 temporary common worker employer [~~license holder~~].

9 (b) A temporary common worker employer [~~license holder~~] may  
10 hire, reassign, control, direct, and discharge the employees of the  
11 temporary common worker employer [~~license holder~~].

12 SECTION 7.009. Section 92.022, Labor Code, is amended to  
13 read as follows:

14 Sec. 92.022. REQUIRED RECORDS; CONFIDENTIALITY. (a) Each  
15 temporary common worker employer [~~license holder~~] shall maintain  
16 and make available to a governmental subdivision [~~representative of~~  
17 ~~the department~~] records that show for each common worker provided  
18 by the temporary common worker employer [~~license holder~~] to a user  
19 of common workers:

- 20 (1) the name and address of the worker;  
21 (2) the hours worked;  
22 (3) the places at which the work was performed;  
23 (4) the wages paid to the worker; and  
24 (5) any deductions made from those wages.

25 (b) The temporary common worker employer [~~license holder~~]  
26 shall maintain the records at least until the second anniversary of  
27 the date on which the worker was last employed by the temporary

1 common worker employer [~~license holder~~].

2 (c) Information received by the governmental subdivision  
3 [~~commission or department~~] under this section is privileged and  
4 confidential and is for the exclusive use of the governmental  
5 subdivision [~~commission or department~~]. The information may not be  
6 disclosed to any other person except on the entry of a court order  
7 requiring disclosure or on the written consent of a person under  
8 investigation who is the subject of the records.

9 SECTION 7.010. Section 92.023(b), Labor Code, is amended to  
10 read as follows:

11 (b) Each temporary common worker employer [~~license holder~~]  
12 shall [~~also~~] post in a conspicuous place in the [~~licensed~~] premises  
13 on which the temporary common worker employer operates a notice of  
14 any charge permitted under this chapter that the temporary common  
15 worker employer [~~license holder~~] may assess against a common worker  
16 for equipment, tools, transportation, or other work-related  
17 services.

18 SECTION 7.011. Section 92.024, Labor Code, is amended to  
19 read as follows:

20 Sec. 92.024. LABOR HALL REQUIREMENTS. A temporary common  
21 worker employer [~~license holder~~] that operates a labor hall as part  
22 of a [~~licensed~~] premises on which the temporary common worker  
23 employer operates shall provide adequate facilities for a worker  
24 waiting for a job assignment. The facilities must include:

- 25 (1) restroom facilities for both men and women;  
26 (2) drinking water;  
27 (3) sufficient seating; and

(4) access to vending refreshments and food.

SECTION 7.012. Section 92.025, Labor Code, is amended to read as follows:

Sec. 92.025. CERTAIN CHARGES AND DEDUCTIONS PROHIBITED.

(a) A temporary common worker employer [~~license holder~~] may not charge a common worker for:

(1) safety equipment, clothing, or accessories required by the nature of the work, either by law, custom, or the requirements of the user of common workers;

(2) uniforms, special clothing, or other items required as a condition of employment by the user of common workers;

(3) the cashing of a check or voucher; or

(4) the receipt by the worker of earned wages.

(b) A temporary common worker employer [~~license holder~~] may not deduct or withhold any amount from the earned wages of a common worker except:

(1) a deduction required by federal or state law; or

(2) a reimbursement for a cash advance made to the worker during the same pay period.

SECTION 7.013. Chapter 92, Labor Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. ENFORCEMENT

Sec. 92.031. ENFORCEMENT. A governmental subdivision may enforce this chapter within the boundaries of the governmental subdivision.

SECTION 7.014. The following provisions of the Labor Code are repealed:

- (1) Sections 92.002(1), (4), and (4-a);
- (2) Section 92.003;
- (3) Section 92.004;
- (4) Section 92.011;
- (5) Section 92.013(a);
- (6) Section 92.014;
- (7) Section 92.015; and
- (8) Section 92.023(a).

SECTION 7.015. (a) An administrative proceeding pending under Chapter 51, Occupations Code, or Chapter 92, Labor Code, on the effective date of this Act related to a violation of Chapter 92, Labor Code, as that chapter existed immediately before the effective date of this Act, is dismissed.

(b) An administrative penalty assessed by the Texas Commission of Licensing and Regulation or the executive director of the Texas Department of Licensing and Regulation related to a violation of Chapter 92, Labor Code, as that chapter existed immediately before the effective date of this Act, may be collected as provided by Chapter 51, Occupations Code.

(c) The changes in law made by this Act do not affect the pending prosecution of an offense under Chapter 92, Labor Code, as that chapter existed immediately before the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense was committed before the effective date of this Act if any element of the offense was

1 committed before that date.

2 ARTICLE 8. FOR-PROFIT LEGAL SERVICE CONTRACT COMPANIES

3 SECTION 8.001. Section 953.001(1), Occupations Code, is  
4 amended to read as follows:

5 (1) "Administrator" means the person responsible for  
6 the administration of a legal service contract. ~~[The term includes~~  
7 ~~a person responsible for any filing required by this chapter.]~~

8 SECTION 8.002. Section 953.156, Occupations Code, is  
9 amended to read as follows:

10 Sec. 953.156. FORM OF LEGAL SERVICE CONTRACT AND REQUIRED  
11 DISCLOSURES. ~~[(a) A legal service contract must be filed with the~~  
12 ~~executive director before it is marketed, sold, offered for sale,~~  
13 ~~administered, or issued in this state. Any subsequent endorsement~~  
14 ~~or attachment to the contract must also be filed with the executive~~  
15 ~~director before the endorsement or attachment is delivered to legal~~  
16 ~~service contract holders.~~

17 ~~[(b)]~~ A legal service contract marketed, sold, offered for  
18 sale, administered, or issued in this state must:

19 (1) be written, printed, or typed in clear,  
20 understandable language that is easy to read;

21 (2) include the name and full address of the company;

22 (3) include the purchase price of the contract and the  
23 terms under which the contract is sold;

24 (4) include the terms and restrictions governing  
25 cancellation of the contract by the company or the legal service  
26 contract holder;

27 (5) identify:

1 (A) any administrator, if the administrator is  
2 not the company;

3 (B) the sales representative; and

4 (C) the name of the legal service contract  
5 holder;

6 (6) include the amount of any deductible or copayment;

7 (7) specify the legal services and other benefits to  
8 be provided under the contract, and any limitation, exception, or  
9 exclusion;

10 (8) specify the legal services, if any, for which the  
11 company will provide reimbursement and the amount of that  
12 reimbursement;

13 (9) specify any restriction governing the  
14 transferability of the contract or the assignment of benefits;

15 (10) include the duties of the legal service contract  
16 holder;

17 (11) ~~[include the contact information for the~~  
18 ~~department, including the department's toll-free number and~~  
19 ~~electronic mail address, as well as a statement that the department~~  
20 ~~regulates the company and the company's sales representatives;~~

21 ~~[(12)]~~ explain the method to be used in resolving the  
22 legal service contract holder's complaints and grievances;

23 (12) ~~[(13)]~~ explain how legal services may be obtained  
24 under the legal service contract;

25 (13) ~~[(14)]~~ include a provision stating that no change  
26 in the contract is valid until the change has been approved by an  
27 executive officer of the company and unless the approval is



1 endorsed or attached to the contract;

2           (14) [~~(15)~~] include any eligibility and effective  
3 date requirements, including a definition of eligible dependents  
4 and the effective date of their coverage;

5           (15) [~~(16)~~] include the conditions under which  
6 coverage will terminate;

7           (16) [~~(17)~~] explain any subrogation arrangements;

8           (17) [~~(18)~~] contain a payment provision that provides  
9 for a grace period of at least 31 days; and

10           (18) [~~(19)~~] include conditions under which contract  
11 rates may be modified[~~, and~~

12           ~~[(20) include any other items required by the~~  
13 ~~executive director as determined by rule].~~

14           SECTION 8.003. Section 953.162, Occupations Code, is  
15 amended to read as follows:

16           Sec. 953.162. APPOINTMENT AND RESPONSIBILITIES OF  
17 ADMINISTRATOR. [~~(a)~~] A company may appoint an administrator or  
18 designate a person to be responsible for:

19           (1) all or any part of the administration or sale of  
20 legal service contracts; and

21           (2) compliance with this chapter.

22           ~~[(b) The executive director may adopt rules regarding the~~  
23 ~~registration of an administrator with the department.]~~

24           SECTION 8.004. Chapter 953, Occupations Code, is amended by  
25 adding Subchapter F to read as follows:

26                           SUBCHAPTER F. ENFORCEMENT

27           Sec. 953.251. DECEPTIVE TRADE PRACTICE. A violation of

1 this chapter is a deceptive trade practice actionable under  
2 Subchapter E, Chapter 17, Business & Commerce Code.

3 SECTION 8.005. The following provisions of the Occupations  
4 Code are repealed:

- 5 (1) Sections 953.001(4), (5), and (6);
- 6 (2) Sections 953.004, 953.005, and 953.155; and
- 7 (3) Subchapters B, C, and E, Chapter 953.

8 SECTION 8.006. (a) On the effective date of this article,  
9 a registration issued under former Subchapter B, Chapter 953,  
10 Occupations Code, expires.

11 (b) On the effective date of this article, a pending  
12 proceeding under Chapter 953, Occupations Code, including a  
13 complaint investigation, disciplinary action, or administrative  
14 penalty proceeding, relating to a registration issued under former  
15 Subchapter B, Chapter 953, Occupations Code, or relating to another  
16 former provision of Chapter 953, Occupations Code, that is repealed  
17 by this article, is dismissed.

18 SECTION 8.007. This article takes effect September 1, 2019.

19 ARTICLE 9. PLUMBING

20 SECTION 9.001. Section 1301.704, Occupations Code, is  
21 amended by adding Subsections (c) and (d) to read as follows:

22 (c) Failure to request a hearing or accept the determination  
23 and recommended penalty within the time provided by this section  
24 waives the right to a hearing under this chapter.

25 (d) If the board determines without a hearing that the  
26 person committed a violation and a penalty is to be imposed, the  
27 board shall:

1           (1) provide written notice to the person of the board's  
2 findings; and

3           (2) enter an order requiring the person to pay the  
4 recommended penalty.

5           SECTION 9.002. Section 1301.705(a), Occupations Code, is  
6 amended to read as follows:

7           (a) If the person requests a hearing [~~or fails to respond in~~  
8 ~~a timely manner to the notice~~], the enforcement committee shall set  
9 a hearing and give written notice of the hearing to the person. An  
10 administrative law judge of the State Office of Administrative  
11 Hearings shall hold the hearing.

12          SECTION 9.003. The change in law made by this article to  
13 Section 1301.704, Occupations Code, applies only to imposition of  
14 an administrative penalty against a person who receives notice  
15 under Section 1301.703(b), Occupations Code, on or after the  
16 effective date of this Act. An administrative penalty for which  
17 notice under that section is received before the effective date of  
18 this Act is governed by the law in effect on the date the notice was  
19 received, and the former law is continued in effect for that  
20 purpose.

21           ARTICLE 10. BARBERING AND COSMETOLOGY

22          SECTION 10.001. Section 1601.002, Occupations Code, is  
23 amended to read as follows:

24          Sec. 1601.002. DEFINITION OF BARBERING. In this chapter,  
25 "barbering," "practicing barbering," or the "practice of  
26 barbering" means:

27           (1) performing or offering or attempting to perform

1 for compensation or the promise of compensation any of the  
2 following services:

3 (A) treating a person's mustache or beard by  
4 arranging, beautifying, coloring, processing, shaving, styling, or  
5 trimming;

6 (B) treating a person's hair by:

7 (i) arranging, beautifying, bleaching,  
8 cleansing, coloring, curling, dressing, dyeing, processing,  
9 ~~[shampooing]~~ shaping, singeing, straightening, styling, tinting,  
10 or waving;

11 (ii) providing a necessary service that is  
12 preparatory or ancillary to a service under Subparagraph (i),  
13 including bobbing, clipping, cutting, or trimming; or

14 (iii) cutting the person's hair as a  
15 separate and independent service for which a charge is directly or  
16 indirectly made separately from a charge for any other service;

17 (C) cleansing, stimulating, or massaging a  
18 person's scalp, face, neck, arms, or shoulders:

19 (i) by hand or by using a device, apparatus,  
20 or appliance; and

21 (ii) with or without the use of any cosmetic  
22 preparation, antiseptic, tonic, lotion, or cream;

23 (D) beautifying a person's face, neck, arms, or  
24 shoulders using a cosmetic preparation, antiseptic, tonic, lotion,  
25 powder, oil, clay, cream, or appliance;

26 (E) treating a person's nails by:

27 (i) cutting, trimming, polishing, tinting,

1 coloring, cleansing, manicuring, or pedicuring; or

2 (ii) attaching false nails;

3 (F) massaging, cleansing, treating, or  
4 beautifying a person's hands;

5 (G) administering facial treatments;

6 (H) weaving a person's hair by using any method  
7 to attach commercial hair to a person's hair or scalp; or

8 (I) ~~[shampooing or conditioning a person's hair,~~  
9 ~~or~~

10 ~~[(J)]~~ servicing in any manner listed in Paragraph  
11 (B) a person's wig, toupee, or artificial hairpiece on a person's  
12 head or on a block after the initial retail sale;

13 (2) advertising or representing to the public in any  
14 manner that a person is a barber or is authorized to practice  
15 barbering; or

16 (3) advertising or representing to the public in any  
17 manner that a location or place of business is a barbershop,  
18 specialty shop, or barber school.

19 SECTION 10.002. Subchapter A, Chapter 1601, Occupations  
20 Code, is amended by adding Section 1601.0025 to read as follows:

21 Sec. 1601.0025. SERVICES NOT CONSTITUTING BARBERING.  
22 Notwithstanding Section 1601.002, "barbering," "practicing  
23 barbering," and "practice of barbering" do not include threading,  
24 which involves removing unwanted hair from a person by using a piece  
25 of thread that is looped around the hair and pulled to remove the  
26 hair and includes the incidental trimming of eyebrow hair.

27 SECTION 10.003. Section 1601.256(a), Occupations Code, is

1 amended to read as follows:

2 (a) A person holding a barber technician license may:

3 (1) perform only barbering as defined by Sections  
4 1601.002(1)(C), (D), (F), and (G) [~~and (I)~~]; and

5 (2) practice only at a location that has been issued a  
6 barbershop permit.

7 SECTION 10.004. Section 1601.353, Occupations Code, is  
8 amended to read as follows:

9 Sec. 1601.353. REQUIRED FACILITIES AND EQUIPMENT. The  
10 department may approve an application for a permit for a barber  
11 school if the school meets the health and safety standards  
12 established by the commission. The commission may not establish  
13 building or facility standards that are not related to health and  
14 safety, including a requirement that a facility have a specific:

15 (1) square footage of floor space [~~is located in:~~

16 [~~(A) a municipality with a population of more~~  
17 ~~than 50,000 that has a building of permanent construction~~  
18 ~~containing at least 2,000 square feet of floor space, including~~  
19 ~~classroom and practical areas, covered in a hard-surface~~  
20 ~~floor-covering of tile or other suitable material; or~~

21 [~~(B) a municipality with a population of 50,000~~  
22 ~~or less or an unincorporated area of a county that has a building of~~  
23 ~~permanent construction containing at least 1,000 square feet of~~  
24 ~~floor space, including classroom and practical areas, covered in a~~  
25 ~~hard-surface floor-covering of tile or other suitable material];~~

26 (2) number of chairs [~~has the following equipment:~~

27 [~~(A) at least 10 student workstations that~~

1 ~~include a chair that reclines, a back bar, and a wall mirror,~~  
2 ~~[(B) a sink behind every two workstations,~~  
3 ~~[(C) adequate lighting for each room,~~  
4 ~~[(D) at least 10 classroom chairs and other~~  
5 ~~materials necessary to teach the required subjects, and~~  
6 ~~[(E) access to permanent restrooms and adequate~~  
7 ~~drinking fountain facilities]; or [and]~~  
8 (3) number of sinks ~~[meets any other requirement set~~  
9 ~~by the commission].~~

10 SECTION 10.005. Section 1602.002(a), Occupations Code, is  
11 amended to read as follows:

12 (a) In this chapter, "cosmetology" means the practice of  
13 performing or offering to perform for compensation any of the  
14 following services:

15 (1) treating a person's hair by:

16 (A) providing any method of treatment as a  
17 primary service, including arranging, beautifying, bleaching,  
18 cleansing, coloring, cutting, dressing, dyeing, processing,  
19 ~~[shampooing]~~ shaping, singeing, straightening, styling, tinting,  
20 or waving;

21 (B) providing a necessary service that is  
22 preparatory or ancillary to a service under Paragraph (A),  
23 including bobbing, clipping, cutting, or trimming a person's hair  
24 or shaving a person's neck with a safety razor; or

25 (C) cutting the person's hair as a separate and  
26 independent service for which a charge is directly or indirectly  
27 made separately from charges for any other service;

(2) [~~shampooing and conditioning a person's hair,~~

[~~(3)~~] servicing a person's wig or artificial hairpiece on a person's head or on a block after the initial retail sale and servicing in any manner listed in Subdivision (1);

(3) [~~(4)~~] treating a person's mustache or beard by arranging, beautifying, coloring, processing, styling, trimming, or shaving with a safety razor;

(4) [~~(5)~~] cleansing, stimulating, or massaging a person's scalp, face, neck, or arms:

(A) by hand or by using a device, apparatus, or appliance; and

(B) with or without the use of any cosmetic preparation, antiseptic, tonic, lotion, or cream;

(5) [~~(6)~~] beautifying a person's face, neck, or arms using a cosmetic preparation, antiseptic, tonic, lotion, powder, oil, clay, cream, or appliance;

(6) [~~(7)~~] administering facial treatments;

(7) [~~(8)~~] removing superfluous hair from a person's body using depilatories, preparations or chemicals, tweezers, or other devices or appliances of any kind or description [~~tweezing techniques~~];

(8) [~~(9)~~] treating a person's nails by:

(A) cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring; or

(B) attaching false nails;

(9) [~~(10)~~] massaging, cleansing, treating, or beautifying a person's hands or feet;



1           (10) [~~(11)~~] applying semipermanent, thread-like  
2 extensions composed of single fibers to a person's eyelashes; or  
3           (11) [~~(12)~~] weaving a person's hair.

4           SECTION 10.006. Subchapter A, Chapter 1602, Occupations  
5 Code, is amended by adding Section 1602.0025 to read as follows:

6           Sec. 1602.0025. SERVICES NOT CONSTITUTING COSMETOLOGY.  
7 Notwithstanding Section 1602.002(a), "cosmetology" does not  
8 include threading, which involves removing unwanted hair from a  
9 person by using a piece of thread that is looped around the hair and  
10 pulled to remove the hair and includes the incidental trimming of  
11 eyebrow hair.

12           SECTION 10.007. Section 1602.255(c), Occupations Code, is  
13 amended to read as follows:

14           (c) The commission shall adopt rules for the licensing of  
15 specialty instructors to teach specialty courses in the practice of  
16 cosmetology defined in Sections 1602.002(a)(5), (7), (8), and (10)  
17 [~~1602.002(a)(6), (8), (9), and (11)]~~.

18           SECTION 10.008. Section 1602.256(a), Occupations Code, is  
19 amended to read as follows:

20           (a) A person holding a manicurist specialty license may  
21 perform only the practice of cosmetology defined in Section  
22 1602.002(a)(8) or (9) [~~1602.002(a)(9) or (10)~~].

23           SECTION 10.009. Section 1602.257(a), Occupations Code, is  
24 amended to read as follows:

25           (a) A person holding an esthetician specialty license may  
26 perform only the practice of cosmetology defined in Sections  
27 1602.002(a)(4), (5), (6), (7), and (10) [~~1602.002(a)(5), (6), (7),~~

1 ~~(8), and (11)]~~.

2       SECTION 10.010. Section 1602.2571(a), Occupations Code, is  
3 amended to read as follows:

4       (a) A person holding a specialty license in eyelash  
5 extension application may perform only the practice of cosmetology  
6 defined in Section 1602.002(a)(10) [~~1602.002(a)(11)~~].

7       SECTION 10.011. Section 1602.259(a), Occupations Code, is  
8 amended to read as follows:

9       (a) A person holding a hair weaving specialty certificate  
10 may perform only the practice of cosmetology defined in Section  
11 1602.002(a)(11) [~~Sections 1602.002(a)(2) and (12)~~].

12       SECTION 10.012. Section 1602.260(a), Occupations Code, is  
13 amended to read as follows:

14       (a) A person holding a wig specialty certificate may perform  
15 only the practice of cosmetology defined in Section 1602.002(a)(2)  
16 [~~1602.002(a)(3)~~].

17       SECTION 10.013. Section 1602.261(a), Occupations Code, is  
18 amended to read as follows:

19       (a) A person holding a manicurist/esthetician specialty  
20 license may perform only the practice of cosmetology defined in  
21 Sections 1602.002(a)(4) through (9) [~~1602.002(a)(5) through (10)~~].

22       SECTION 10.014. Section 1602.303, Occupations Code, is  
23 amended by amending Subsections (b) and (c) and adding Subsection  
24 (d) to read as follows:

25       (b) An application for a private beauty culture school  
26 license must be accompanied by the required license fee and  
27 inspection fee and:

(1) be on a form prescribed by the department;

(2) be verified by the applicant; and

(3) contain a statement that the building meets the health and safety standards established by the commission [+

~~[(A) is of permanent construction and is divided into at least two separate areas:~~

~~[(i) one area for instruction in theory, and~~

~~[(ii) one area for clinic work,~~

~~[(B) contains a minimum of:~~

~~[(i) 2,800 square feet of floor space if the building is located in a county with a population of more than 100,000; or~~

~~[(ii) 1,800 square feet of floor space if the building is located in a county with a population of 100,000 or less,~~

~~[(C) has access to permanent restrooms and adequate drinking fountain facilities; and~~

~~[(D) contains, or will contain before classes begin, the equipment established by commission rule as sufficient to properly instruct a minimum of 10 students].~~

(c) The applicant is entitled to a private beauty culture school license if:

(1) the department determines that the applicant is financially sound and capable of fulfilling the school's commitments for training;

(2) the applicant's facilities meet the health and

1 safety standards established by the commission and pass an  
2 inspection conducted by the department under Section 1603.103; and

3 (3) the applicant has not committed an act that  
4 constitutes a ground for denial of a license.

5 (d) The commission may not establish building or facility  
6 standards that are not related to health and safety, including a  
7 requirement that a facility have a specific:

8 (1) square footage of floor space;

9 (2) number of chairs; or

10 (3) number of sinks.

11 SECTION 10.015. Section 1602.305(a), Occupations Code, is  
12 amended to read as follows:

13 (a) A person holding a specialty shop license may maintain  
14 an establishment in which only the practice of cosmetology as  
15 defined in Section 1602.002(a)(2), (5), (7), (8), or (10)  
16 [~~1602.002(a)(3), (6), (8), (9), or (11)~~] is performed.

17 SECTION 10.016. Section 1602.354(a), Occupations Code, is  
18 amended to read as follows:

19 (a) The commission will by rule recognize, prepare, or  
20 administer continuing education programs for the practice of  
21 cosmetology. Participation in the programs is mandatory for all  
22 license renewals [~~other than renewal of a shampoo specialty~~  
23 ~~certificate~~].

24 SECTION 10.017. Section 1602.403(c), Occupations Code, is  
25 amended to read as follows:

26 (c) A person holding a beauty shop license or specialty shop  
27 license may not employ[+]

1           ~~[(1)]~~ a person as an operator or specialist or lease to  
2 a person who acts as an operator or specialist unless the person  
3 holds a license or certificate under this chapter or under Chapter  
4 1601~~[, or~~

5           ~~[(2) a person to shampoo or condition a person's hair~~  
6 ~~unless the person holds a shampoo apprentice permit or student~~  
7 ~~permit].~~

8           SECTION 10.018. Section 1603.351, Occupations Code, is  
9 amended by adding Subsection (a-1) to read as follows:

10          (a-1) Notwithstanding any other law, the commission may  
11 adopt rules to:

12           (1) authorize a school licensed under this chapter,  
13 Chapter 1601, or Chapter 1602 to account for any hours of  
14 instruction completed under those chapters on the basis of clock  
15 hours or credit hours; and

16           (2) establish standards for determining the  
17 equivalency and conversion of clock hours to credit hours and  
18 credit hours to clock hours.

19           SECTION 10.019. Section 1603.352(a), Occupations Code, is  
20 amended to read as follows:

21          (a) A person who holds a license, certificate, or permit  
22 issued under this chapter, Chapter 1601, or Chapter 1602 and who  
23 performs a barbering service described by Section 1601.002(1)(E) or  
24 (F) or a cosmetology service described by Section 1602.002(a)(8) or  
25 (9) ~~[1602.002(a)(9) or (10)]~~ shall, before performing the service,  
26 clean, disinfect, and sterilize with an autoclave or dry heat  
27 sterilizer or sanitize with an ultraviolet sanitizer, in accordance

1 with the sterilizer or sanitizer manufacturer's instructions, each  
2 metal instrument, including metal nail clippers, cuticle pushers,  
3 cuticle nippers, and other metal instruments, used to perform the  
4 service.

5 SECTION 10.020. The following provisions of the Occupations  
6 Code are repealed:

- 7 (1) Section 1601.260(c);
- 8 (2) Section 1601.261;
- 9 (3) Section 1601.301(c);
- 10 (4) Section 1602.266(c);
- 11 (5) Section 1602.267;
- 12 (6) Section 1602.301(c); and
- 13 (7) Section 1602.456(b-1).

14 SECTION 10.021. On the effective date of this Act:

- 15 (1) a shampoo apprentice permit issued under former  
16 Section 1601.261 or 1602.267, Occupations Code, expires; and
- 17 (2) a shampoo specialty certificate issued under  
18 Chapter 1602 expires.

19 SECTION 10.022. As soon as practicable after the effective  
20 date of this Act, the Texas Commission of Licensing and Regulation  
21 shall adopt rules to implement Sections 1601.353 and 1602.303,  
22 Occupations Code, as amended by this article.

23 SECTION 10.023. (a) The changes in law made by this Act to  
24 Chapters 1601, 1602, and 1603, Occupations Code, do not affect the  
25 validity of a proceeding pending before a court or other  
26 governmental entity on the effective date of this Act.

27 (b) An offense or other violation of law committed under

Chapter 1601, 1602, or 1603, Occupations Code, before the effective date of this Act is governed by the law in effect when the offense or violation was committed, and the former law is continued in effect for that purpose. For purposes of this subsection, an offense or violation was committed before the effective date of this Act if any element of the offense or violation occurred before that date.

ARTICLE 11. VOLUNTEER SECURITY SERVICES

SECTION 11.001. Subchapter N, Chapter 1702, Occupations Code, is amended by adding Section 1702.333 to read as follows:

Sec. 1702.333. PLACE OF RELIGIOUS WORSHIP; CERTAIN VOLUNTEERS. (a) In this section, "volunteer security services" means services or activities that are:

(1) regulated under this chapter; and

(2) provided without compensation or remuneration.

(b) This chapter does not apply to a person who is providing volunteer security services on the premises of a church, synagogue, or other established place of religious worship.

(c) While providing volunteer security services under Subsection (b), a person may not wear a uniform or badge that:

(1) contains the word "security"; or

(2) gives the person the appearance of being a peace officer, personal protection officer, or security officer.

ARTICLE 12. BINGO UNIT MANAGER LICENSE

SECTION 12.001. Section 2001.431(4), Occupations Code, is amended to read as follows:

(4) "Unit manager" means an individual who is ~~[licensed under this subchapter to be]~~ responsible for the

1 revenues, authorized expenses, and inventory of a unit.

2 SECTION 12.002. The heading to Section 2001.437,  
3 Occupations Code, is amended to read as follows:

4 Sec. 2001.437. UNIT MANAGER[~~, LICENSE~~].

5 SECTION 12.003. Section 2001.437(c), Occupations Code, is  
6 amended to read as follows:

7 (c) [~~A person may not provide services as a unit manager to~~  
8 ~~licensed authorized organizations that form a unit unless the~~  
9 ~~person holds a unit manager license under this subchapter.~~] A  
10 person designated as an agent under Section 2001.438(b) is not a  
11 unit manager on account of that designation for purposes of this  
12 section.

13 SECTION 12.004. Sections 2001.437(d), (e), (f), and (g),  
14 Occupations Code, are repealed.

15 SECTION 12.005. The changes in law made by this article do  
16 not affect the right of any individual licensed before the  
17 effective date of this Act to engage in the applicable occupation  
18 for the remainder of the term for which the license was issued.

19 ARTICLE 13. AGRICULTURAL, INDUSTRIAL, AND WILDLIFE CONTROL  
20 FIREWORKS PERMIT

21 SECTION 13.001. Section 2154.152(a), Occupations Code, is  
22 amended to read as follows:

23 (a) A person must be a licensed distributor if the person:

24 (1) imports into this state or stores, possesses, and  
25 sells Fireworks 1.3G to a licensed pyrotechnic operator or  
26 distributor or to a single public display or[~~,~~] multiple public  
27 display[~~, or agricultural, industrial, and wildlife control~~



1 ~~fireworks~~] permit holder; or

2           (2) imports or stores, possesses, and sells Fireworks  
3 1.4G to a licensed jobber, retailer, or distributor in this state.

4           SECTION 13.002. Section 2154.251(b), Occupations Code, is  
5 amended to read as follows:

6           (b) A person may not manufacture, distribute, sell, or use  
7 fireworks in a public fireworks display [~~or for agricultural,~~  
8 ~~industrial, or wildlife control purposes~~] without an appropriate  
9 license or permit. Fireworks manufactured, distributed, sold, or  
10 used without an appropriate license or permit are illegal  
11 fireworks.

12           SECTION 13.003. Section 2154.203, Occupations Code, is  
13 repealed.

14           ARTICLE 14. MOTOR VEHICLE TOWING, BOOTING, AND STORAGE

15           SECTION 14.001. Section 2303.058, Occupations Code, is  
16 amended to read as follows:

17           Sec. 2303.058. ADVISORY BOARD. The Towing and[~~7~~] Storage[~~7~~  
18 ~~and Booting~~] Advisory Board under Chapter 2308 shall advise the  
19 commission in adopting vehicle storage rules under this chapter.

20           SECTION 14.002. Section 2308.002, Occupations Code, is  
21 amended by amending Subdivisions (1) and (8-a) and adding  
22 Subdivisions (5-b) and (8-b) to read as follows:

23           (1) "Advisory board" means the Towing and[~~7~~] Storage[~~7~~  
24 ~~and Booting~~] Advisory Board.

25           (5-b) "Local authority" means a state or local  
26 governmental entity authorized to regulate traffic or parking and  
27 includes:

1                   (A) an institution of higher education; and

2                   (B) a political subdivision, including a county,  
3 municipality, special district, junior college district, housing  
4 authority, or other political subdivision of this state.

5                   (8-a) "Peace officer" means a person who is a peace  
6 officer under Article 2.12, Code of Criminal Procedure.

7                   (8-b) "Private property tow" means any tow of a  
8 vehicle authorized by a parking facility owner without the consent  
9 of the owner or operator of the vehicle.

10           SECTION 14.003. Effective September 1, 2018, Section  
11 2308.004, Occupations Code, is amended to read as follows:

12           Sec. 2308.004. EXEMPTION.           Sections 2308.151(b),  
13 2308.2085, 2308.257, and 2308.258 do [~~(a) This chapter does~~] not  
14 apply to:

15                   (1) a person who, while exercising a statutory or  
16 contractual lien right with regard to a vehicle:

17                           (A) [~~(1)~~] installs or removes a boot; or

18                           (B) [~~(2)~~] controls, installs, or directs the  
19 installation and removal of one or more boots; or [~~-~~]

20                   (2) [~~(b) This chapter does not apply to~~] a commercial  
21 office building owner or manager who installs or removes a boot in  
22 the building's parking facility.

23           SECTION 14.004. Section 2308.051(a), Occupations Code, as  
24 amended by Chapters 457 (H.B. 2548) and 845 (S.B. 2153), Acts of the  
25 81st Legislature, Regular Session, 2009, is reenacted and amended  
26 to read as follows:

27           (a) The advisory board consists of the following members

1 appointed by the presiding officer of the commission with the  
2 approval of the commission:

3 (1) one representative of a towing company operating  
4 in a county with a population of less than one million;

5 (2) one representative of a towing company operating  
6 in a county with a population of one million or more;

7 (3) one representative [~~owner~~] of a vehicle storage  
8 facility located in a county with a population of less than one  
9 million;

10 (4) one representative [~~owner~~] of a vehicle storage  
11 facility located in a county with a population of one million or  
12 more;

13 (5) one parking facility representative [~~owner~~];

14 (6) one peace officer [~~law enforcement officer~~] from a  
15 county with a population of less than one million;

16 (7) one peace officer [~~law enforcement officer~~] from a  
17 county with a population of one million or more;

18 (8) one representative of a member insurer, as defined  
19 by Section 462.004, Insurance Code, of the Texas Property and  
20 Casualty Insurance Guaranty Association who writes [~~property and~~  
21 ~~casualty insurers who write~~] automobile insurance in this state;  
22 and

23 [~~(9) one representative of a booting company~~]

24 (9) one person who operates both a towing company and a  
25 vehicle storage facility [~~public member~~].

26 SECTION 14.005. Effective September 1, 2018, Section  
27 2308.151, Occupations Code, is amended to read as follows:

Sec. 2308.151. LICENSE OR LOCAL AUTHORIZATION REQUIRED.

(a) Unless the person holds an appropriate license under this subchapter, a person may not:

(1) perform towing operations; or

(2) operate a towing company. [+]

(b) Unless prohibited by a local authority under Section 2308.2085, a person may:

(1) [+3+] perform booting operations; and [+]

(2) [+4+] operate a booting company.

SECTION 14.006. Section 2308.205(a), Occupations Code, is amended to read as follows:

(a) A towing company that makes a nonconsent tow shall tow the vehicle to a vehicle storage facility that is operated by a person who holds a license to operate the facility under Chapter 2303, unless:

(1) the towing company agrees to take the vehicle to a location designated by the vehicle's owner; or

(2) the vehicle is towed under Section 2308.259(b).

SECTION 14.007. Section 2308.2085, Occupations Code, is amended to read as follows:

Sec. 2308.2085. LOCAL AUTHORITY REGULATION OF [~~MUNICIPAL ORDINANCE~~ ~~REGULATING~~] BOOTING ACTIVITIES [~~COMPANIES AND OPERATORS~~]. (a) A local authority [~~municipality~~] may regulate, in areas in which the entity regulates parking or traffic, [adopt an ordinance that is identical to the] booting activities, including:

(1) operation of booting companies and operators that operate on a parking facility;

1           (2) any permit and sign requirements in connection  
2 with the booting of a vehicle; and

3           (3) [~~provisions in this chapter or that imposes~~  
4 ~~additional requirements that exceed the minimum standards of the~~  
5 ~~booting provisions in this chapter but may not adopt an ordinance~~  
6 ~~that conflicts with the booting provisions in this chapter.~~

7           ~~[(b) A municipality may regulate the]~~ fees that may be  
8 charged in connection with the booting of a vehicle~~[, including~~  
9 ~~associated parking fees]~~.

10           (b) Regulations adopted under this section must:

11           (1) incorporate the requirements of Sections 2308.257  
12 and 2308.258;

13           (2) include procedures for vehicle owners and  
14 operators to file a complaint with the local authority regarding a  
15 booting company or operator; and

16           (3) provide for the imposition of a penalty on a  
17 booting company or operator for a violation of Section 2308.258

18 ~~[(c) A municipality may require booting companies to obtain a~~  
19 ~~permit to operate in the municipality].~~

20           SECTION 14.008. Section 2308.255, Occupations Code, is  
21 amended to read as follows:

22           Sec. 2308.255. TOWING COMPANY'S ~~[OR BOOT OPERATOR'S]~~  
23 AUTHORITY TO TOW ~~[REMOVE]~~ AND STORE ~~[OR BOOT]~~ UNAUTHORIZED VEHICLE.

24 (a) A towing company ~~[that is insured as provided by Subsection~~  
25 ~~(c)]~~ may, without the consent of an owner or operator of an  
26 unauthorized vehicle, tow the vehicle to ~~[remove]~~ and store the  
27 vehicle at a vehicle storage facility at the expense of the owner or

1 operator of the vehicle if:

2 (1) the towing company has received written  
3 verification from the parking facility owner that:

4 (A) [~~the parking facility owner has installed~~]  
5 the signs required by Section 2308.252(a)(1) are posted; or

6 (B) the owner or operator received notice under  
7 Section 2308.252(a)(2) or the parking facility owner gave notice  
8 complying with Section 2308.252(a)(3); or

9 (2) on request the parking facility owner provides to  
10 the owner or operator of the vehicle information on the name of the  
11 towing company and vehicle storage facility that will be used to tow  
12 [~~remove~~] and store the vehicle and the vehicle is:

13 (A) left in violation of Section 2308.251;

14 (B) in or obstructing a portion of a paved  
15 driveway; or

16 (C) on a public roadway used for entering or  
17 exiting the facility and the tow [~~removal~~] is approved by a peace  
18 officer.

19 (b) A towing company may not tow [~~remove~~] an unauthorized  
20 vehicle except under:

21 (1) this chapter;

22 (2) a municipal ordinance that complies with Section  
23 2308.208; or

24 (3) the direction of:

25 (A) a peace officer; or

26 (B) the owner or operator of the vehicle.

27 (c) Only a towing company that is insured against liability

1 for property damage incurred in towing a vehicle may tow [~~remove~~]  
2 and store an unauthorized vehicle under this section.

3 (d) A towing company may tow [~~remove~~] and store a vehicle  
4 under Subsection (a) [~~and a boot operator may boot a vehicle under~~  
5 ~~Section 2308.257~~] only if the parking facility owner:

6 (1) requests that the towing company tow [~~remove~~] and  
7 store [~~or that the boot operator boot~~] the specific vehicle; or

8 (2) has a standing written agreement with the towing  
9 company [~~or boot operator~~] to enforce parking restrictions in the  
10 parking facility.

11 (e) When a tow truck is used for a nonconsent tow authorized  
12 by a peace officer under Section 545.3051, Transportation Code, the  
13 operator of the tow truck and the towing company are agents of the  
14 law enforcement agency and are subject to Section 545.3051(e),  
15 Transportation Code.

16 SECTION 14.009. Section 2308.257(b), Occupations Code, is  
17 amended to read as follows:

18 (b) A boot operator that installs a boot on a vehicle must  
19 affix a conspicuous notice to the vehicle's front windshield or  
20 driver's side window stating:

21 (1) that the vehicle has been booted and damage may  
22 occur if the vehicle is moved;

23 (2) the date and time the boot was installed;

24 (3) the name, address, and telephone number of the  
25 booting company;

26 (4) a telephone number that is answered 24 hours a day  
27 to enable the owner or operator of the vehicle to arrange for

1 removal of the boot;

2 (5) the amount of the fee for removal of the boot and  
3 any associated parking fees; ~~and~~

4 (6) notice of the right of a vehicle owner or vehicle  
5 operator to a hearing under Subchapter J; and

6 (7) in the manner prescribed by the local authority,  
7 notice of the procedure to file a complaint with the local authority  
8 for violation of this chapter by a boot operator.

9 SECTION 14.010. Subchapter F, Chapter 2308, Occupations  
10 Code, is amended by adding Sections 2308.258 and 2308.259 to read as  
11 follows:

12 Sec. 2308.258. BOOT REMOVAL. (a) A booting company  
13 responsible for the installation of a boot on a vehicle shall remove  
14 the boot not later than one hour after the time the owner or  
15 operator of the vehicle contacts the company to request removal of  
16 the boot.

17 (b) A booting company shall waive the amount of the fee for  
18 removal of a boot, excluding any associated parking fees, if the  
19 company fails to have the boot removed within the time prescribed by  
20 Subsection (a).

21 (c) A booting company responsible for the installation of  
22 more than one boot on a vehicle may not charge a total amount for the  
23 removal of the boots that is greater than the amount of the fee for  
24 the removal of a single boot.

25 Sec. 2308.259. TOWING COMPANY'S AUTHORITY TO TOW VEHICLE  
26 FROM UNIVERSITY PARKING FACILITY. (a) In this section:

27 (1) "Special event" means a university-sanctioned,



1 on-campus activity, including parking lot maintenance.

2 (2) "University" means:

3 (A) a public senior college or university, as  
4 defined by Section 61.003, Education Code; or

5 (B) a private or independent institution of  
6 higher education, as defined by Section 61.003, Education Code.

7 (b) Subject to Subsection (c), an individual designated by a  
8 university may, to facilitate a special event, request that a  
9 vehicle parked at a university parking facility be towed to another  
10 location on the university campus.

11 (c) A vehicle may not be towed under Subsection (b) unless  
12 signs complying with this section are installed on the parking  
13 facility for the 72 hours preceding towing enforcement for the  
14 special event and for 48 hours after the conclusion of the special  
15 event.

16 (d) Each sign required under Subsection (c) must:

17 (1) contain:

18 (A) a statement of:

19 (i) the nature of the special event; and

20 (ii) the dates and hours of towing  
21 enforcement; and

22 (B) the number, including the area code, of a  
23 telephone that is answered 24 hours a day to identify the location  
24 of a towed vehicle;

25 (2) face and be conspicuously visible to the driver of  
26 a vehicle that enters the facility;

27 (3) be located:

1                   (A) on the right or left side of each driveway or  
2 curb-cut through which a vehicle can enter the facility, including  
3 an entry from an alley abutting the facility; or

4                   (B) at intervals along the entrance so that no  
5 entrance is farther than 25 feet from a sign if:

6                   (i) curbs, access barriers, landscaping, or  
7 driveways do not establish definite vehicle entrances onto a  
8 parking facility from a public roadway other than an alley; and

9                   (ii) the width of an entrance exceeds 35  
10 feet;

11                   (4) be made of weather-resistant material;

12                   (5) be at least 18 inches wide and 24 inches tall;

13                   (6) be mounted on a pole, post, wall, or free-standing  
14 board; and

15                   (7) be installed so that the bottom edge of the sign is  
16 no lower than two feet and no higher than six feet above ground  
17 level.

18                   (e) If a vehicle is towed under Subsection (b), personnel  
19 must be available to:

20                   (1) release the vehicle within two hours after a  
21 request for release of the vehicle; and

22                   (2) accept any payment required for the release of the  
23 vehicle.

24                   (f) A university may not charge a fee for a tow under  
25 Subsection (b) that exceeds 75 percent of the private property tow  
26 fee established under Section 2308.0575.

27                   (g) A vehicle towed under Subsection (b) that is not claimed

1 by the vehicle owner or operator within 48 hours after the  
2 conclusion of the special event may only be towed:

3 (1) without further expense to the vehicle owner or  
4 operator; and

5 (2) to another location on the university campus.

6 (h) The university must notify the owner or operator of a  
7 vehicle towed under Subsection (b) of the right of the vehicle owner  
8 or operator to a hearing under Subchapter J.

9 SECTION 14.011. The heading to Subchapter I, Chapter 2308,  
10 Occupations Code, is amended to read as follows:

11 SUBCHAPTER I. REGULATION OF TOWING COMPANIES[~~, BOOTING COMPANIES,~~]  
12 AND PARKING FACILITY OWNERS

13 SECTION 14.012. (a) The following provisions of the  
14 Occupations Code are repealed:

15 (1) Section 2308.002(9); and

16 (2) Section 2308.103(d).

17 (b) Effective September 1, 2018, Sections 2308.1555 and  
18 2308.1556, Occupations Code, are repealed.

19 SECTION 14.013. (a) On September 1, 2018, a license issued  
20 under former Section 2308.1555 or 2308.1556, Occupations Code,  
21 expires.

22 (b) The changes in law made by this article to Section  
23 2308.051(a), Occupations Code, regarding the qualifications for a  
24 member of the Towing and Storage Advisory Board do not affect the  
25 entitlement of a member serving on the board immediately before the  
26 effective date of this article to continue to serve and function as  
27 a member of the board for the remainder of the member's term. When

1 board vacancies occur on or after the effective date of this  
2 article, the presiding officer of the Texas Commission of Licensing  
3 and Regulation shall appoint new members to the board in a manner  
4 that reflects the changes in law made by this article.

5 (c) The changes in law made by this article to Section  
6 2308.255, Occupations Code, do not apply to the booting of a vehicle  
7 pursuant to a standing written agreement between a booting company  
8 and a parking facility owner entered into before the effective date  
9 of this article. The booting of a vehicle pursuant to a standing  
10 written agreement entered into before the effective date of this  
11 article is governed by the law as it existed immediately before the  
12 effective date of this article, and that law is continued in effect  
13 for that purpose.

14 SECTION 14.014. Except as otherwise provided by this  
15 article, this article takes effect immediately if this Act receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 article takes effect September 1, 2017.

20 ARTICLE 15. CERTAIN LOCAL TRANSPORTATION ENTITIES AND CONTRACTS

21 SECTION 15.001. (a) This article applies only to a county  
22 board of education, board of county trustees, or office of county  
23 school superintendent that provides, without competitive bidding,  
24 transportation services in a county with a population of 2.2  
25 million or more.

26 (b) A contract for transportation services is subject to  
27 competitive bidding, and if on the effective date of this Act there

1 is an existing contract for transportation services to which a  
2 county board of education, board of county trustees, or office of  
3 county school superintendent is a party, it shall be wound down in  
4 the manner described by Subsections (c)-(r) of this section.

5 (c) Each county board of education, board of county school  
6 trustees, and office of county school superintendent in a county  
7 with a population of 2.2 million or more and that is adjacent to a  
8 county with a population of more than 800,000 is abolished  
9 effective November 15, 2017, unless the continuation of the county  
10 board of education, board of county school trustees, and office of  
11 county school superintendent is approved by a majority of voters at  
12 an election held on the November 2017 uniform election date in the  
13 county in which the county board of education, board of county  
14 school trustees, and office of county school superintendent are  
15 located. Subsections (d)-(s) of this section do not take effect in  
16 a county if the continuation of the county board of education, board  
17 of county school trustees, and office of county school  
18 superintendent is approved at the election held in the county under  
19 this subsection.

20 (d) Not later than November 15, 2017, a dissolution  
21 committee shall be formed for each county board of education or  
22 board of county school trustees to be abolished as provided by  
23 Subsection (c) of this section. The dissolution committee is  
24 responsible for all financial decisions for each county board of  
25 education or board of county school trustees abolished by this Act,  
26 including asset distribution and payment of all debt obligations.

27 (e) A dissolution committee required by this Act shall be

1 appointed by the comptroller and include:

2 (1) one financial advisor;

3 (2) the superintendent of the participating component  
4 school district with the largest number of students in average  
5 daily attendance or the superintendent's designee;

6 (3) one certified public accountant;

7 (4) one auditor who holds a license or other  
8 professional credential; and

9 (5) one bond counsel who holds a license or other  
10 professional credential.

11 (f) A dissolution committee created under this Act is  
12 subject to the open meetings requirements under Chapter 551,  
13 Government Code, and public information requirements under Chapter  
14 552, Government Code.

15 (g) Members of a dissolution committee may not receive  
16 compensation but are entitled to reimbursement for actual and  
17 necessary expenses incurred in performing the functions of the  
18 dissolution committee.

19 (h) Subject to the other requirements of this Act, the  
20 dissolution committee shall determine the manner in which all  
21 assets, liabilities, contracts, and services of the county board of  
22 education or board of county school trustees abolished by this Act  
23 are divided, transferred, or discontinued. The dissolution  
24 committee shall create a sinking fund to deposit all money received  
25 in the abolishment of each county board of education or board of  
26 county school trustees for the payment of all debts of the county  
27 board of education or board of county school trustees.

1           (i) The dissolution committee shall continue providing  
2 transportation services to participating component school  
3 districts for the 2017-2018 school year. The dissolution committee  
4 shall maintain current operations and personnel needed to provide  
5 the transportation services.

6           (j) At the end of the 2017-2018 school year all school  
7 buses, vehicles, and bus service centers shall be transferred to  
8 participating component school districts in proportionate shares  
9 equal to the proportion that the membership in each district bears  
10 to total membership in the county as of September 1, 2018, at no  
11 cost to the districts.

12           (k) The dissolution committee may employ for the 2017-2018  
13 school year one person to assist in the abolishment of the county  
14 board of education or board of county school trustees.

15           (l) On November 15, 2017, the participating component  
16 school district with the largest number of students in average  
17 daily attendance has the right of first refusal to buy, at fair  
18 market value, the administrative building of the county board of  
19 education or board of county school trustees.

20           (m) An ad valorem tax assessed by a county board of  
21 education or board of county school trustees shall continue to be  
22 assessed by the county on behalf of the board for the purpose of  
23 paying the principal of and interest on any bonds issued by the  
24 county board of education or board of county school trustees until  
25 all bonds are paid in full. This subsection applies only to a bond  
26 issued before the effective date of this Act for which the tax  
27 receipts were obligated. On payment of all bonds issued by the

1 county board of education or board of county school trustees the ad  
2 valorem tax may not be assessed.

3 (n) In the manner provided by rule of the commissioner of  
4 education, the county shall collect and use any delinquent taxes  
5 imposed by or on behalf of the county board of education or board of  
6 county school trustees.

7 (o) The dissolution committee shall distribute the assets  
8 remaining after discharge of the liabilities of the county board of  
9 education or board of county school trustees to the component  
10 school districts in the county in proportionate shares equal to the  
11 proportion that the membership in each district bears to total  
12 membership in the county as of September 1, 2017. The dissolution  
13 committee shall liquidate board assets as necessary to discharge  
14 board liabilities and facilitate the distribution of assets. A  
15 person authorized by the dissolution committee shall execute any  
16 documents necessary to complete the transfer of assets,  
17 liabilities, or contracts.

18 (p) The dissolution committee shall encourage the component  
19 school districts to:

20 (1) continue sharing services received through the  
21 county board of education or board of county school trustees; and

22 (2) give preference to private sector contractors to  
23 continue services provided by the county board of education or  
24 board of county school trustees.

25 (q) The chief financial officer and financial advisor for  
26 the county board of education or board of county school trustees  
27 shall provide assistance to the dissolution committee in abolishing



1 the county board of education or board of county school trustees.

2 (r) The Texas Education Agency shall provide assistance to a  
3 dissolution committee in the distribution of assets, liabilities,  
4 contracts, and services of a county board of education or board of  
5 county school trustees abolished by this Act.

6 (s) Any dissolution committee created as provided by this  
7 Act is abolished on the date all debt obligations of the county  
8 board of education or board of county school trustees are paid in  
9 full and all assets distributed to component school districts.

10 SECTION 15.002. Chapter 266 (S.B. 394), Acts of the 40th  
11 Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas  
12 Civil Statutes), is repealed.

13 ARTICLE 16. REGISTRATION OF MARKS

14 SECTION 16.001. Section 16.051(a), Business & Commerce  
15 Code, is amended to read as follows:

16 (a) A mark that distinguishes an applicant's goods or  
17 services from those of others is registrable unless the mark:

18 (1) consists of or comprises matter that is immoral,  
19 deceptive, or scandalous;

20 (2) consists of or comprises matter that may  
21 disparage, falsely suggest a connection with, or bring into  
22 contempt or disrepute:

23 (A) a person, whether living or dead;

24 (B) an institution;

25 (C) a belief; or

26 (D) a national symbol;

27 (3) depicts, comprises, or simulates the flag, the

1 coat of arms, the seal, the geographic outline, or other insignia  
2 of:

3 (A) the United States;

4 (B) a state;

5 (C) a municipality; or

6 (D) a foreign nation;

7 (4) consists of or comprises the name, signature, or  
8 portrait of a particular living individual who has not consented in  
9 writing to the mark's registration;

10 (5) when used on or in connection with the applicant's  
11 goods or services:

12 (A) is merely descriptive or deceptively  
13 misdescriptive of the applicant's goods or services; or

14 (B) is primarily geographically descriptive or  
15 deceptively misdescriptive of the applicant's goods or services;

16 (6) is primarily merely a surname; or

17 (7) is likely to cause confusion or mistake, or to  
18 deceive, because, when used on or in connection with the  
19 applicant's goods or services, it resembles:

20 (A) a mark registered in this state; or

21 (B) an unabandoned mark registered with the  
22 United States Patent and Trademark Office.

23 ARTICLE 17. CONFLICT OF LAW; EFFECTIVE DATE

24 SECTION 17.001. To the extent of any conflict, this Act  
25 prevails over another Act of the 85th Legislature, Regular Session,  
26 2017, relating to nonsubstantive additions to and corrections in  
27 enacted codes.

1       SECTION 17.002. To the extent of any conflict, Sections  
2 1601.353 and 1602.303, Occupations Code, as amended by this Act,  
3 prevail over another Act of the 85th Legislature, Regular Session,  
4 2017.

5       SECTION 17.003. It is the intent of the 85th Legislature,  
6 Regular Session, 2017, that the amendments made by this Act to  
7 Section 17.46(b), Business & Commerce Code, be harmonized as  
8 provided by Section 311.025(b), Government Code, as if the  
9 amendments were enacted without reference to each other.

10       SECTION 17.004. Except as otherwise provided by this Act,  
11 this Act takes effect September 1, 2017.

**Senate Bill 2065**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION (IE)	CONFERENCE
ARTICLE 1. VEHICLE PROTECTION PRODUCTS	Same as Senate version.	Same as Senate version.
SECTION 1.001. Section 17.45, Business & Commerce Code, is amended.	SECTION 1.001. Same as Senate version.	SECTION 1.001. Same as Senate version.
SECTION 1.002. Section 17.46(b), Business & Commerce Code, as amended by Chapters 1023 (H.B. 1265) and 1080 (H.B. 2573), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended.	SECTION 1.002. Same as Senate version.	SECTION 1.002. Same as Senate version.
SECTION 1.003. Subchapter A, Chapter 348, Finance Code, is amended.	SECTION 1.003. Same as Senate version.	SECTION 1.003. Same as Senate version.
SECTION 1.004. Subchapter A, Chapter 353, Finance Code, is amended.	SECTION 1.004. Same as Senate version.	SECTION 1.004. Same as Senate version.
SECTION 1.005. Chapter 2306, Occupations Code, is repealed.	SECTION 1.005. Same as Senate version.	SECTION 1.005. Same as Senate version.
SECTION 1.006. Transition provisions.	SECTION 1.006. Same as Senate version.	SECTION 1.006. Same as Senate version.
SECTION 1.007. Saving provision.	SECTION 1.007. Same as Senate version.	SECTION 1.007. Same as Senate version.
SECTION 1.008. Saving provision.	SECTION 1.008. Same as Senate version.	SECTION 1.008. Same as Senate version.
ARTICLE 2. TEMPORARY COMMON WORKER EMPLOYERS	Same as Senate version.	ARTICLE 7. Same as Senate version.
SECTION 2.001. Section 92.001(a), Labor Code, is amended.	SECTION 2.001. Same as Senate version.	SECTION 7.001. Same as Senate version.
SECTION 2.002. Section 92.002, Labor Code, is amended.	SECTION 2.002. Same as Senate version.	SECTION 7.002. Same as Senate version.

**Senate Bill 2065**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION (IE)	CONFERENCE
SECTION 2.003. The heading to Subchapter B, Chapter 92, Labor Code, is amended.	SECTION 2.003. Same as Senate version.	SECTION 7.003. Same as Senate version.
SECTION 2.004. Subchapter B, Chapter 92, Labor Code, is amended.	SECTION 2.004. Same as Senate version.	SECTION 7.004. Same as Senate version.
SECTION 2.005. The heading to Section 92.012, Labor Code, is amended.	SECTION 2.005. Same as Senate version.	SECTION 7.005. Same as Senate version.
SECTION 2.006. Section 92.013(b), Labor Code, is amended.	SECTION 2.006. Same as Senate version.	SECTION 7.006. Same as Senate version.
SECTION 2.007. The heading to Subchapter C, Chapter 92, Labor Code, is amended.	SECTION 2.007. Same as Senate version.	SECTION 7.007. Same as Senate version.
SECTION 2.008. Section 92.021, Labor Code, is amended.	SECTION 2.008. Same as Senate version.	SECTION 7.008. Same as Senate version.
SECTION 2.009. Section 92.022, Labor Code, is amended.	SECTION 2.009. Same as Senate version.	SECTION 7.009. Same as Senate version.
SECTION 2.010. Section 92.023(b), Labor Code, is amended.	SECTION 2.010. Same as Senate version.	SECTION 7.010. Same as Senate version.
SECTION 2.011. Section 92.024, Labor Code, is amended.	SECTION 2.011. Same as Senate version.	SECTION 7.011. Same as Senate version.
SECTION 2.012. Section 92.025, Labor Code, is amended.	SECTION 2.012. Same as Senate version.	SECTION 7.012. Same as Senate version.
SECTION 2.013. Chapter 92, Labor Code, is amended.	SECTION 2.013. Same as Senate version.	SECTION 7.013. Same as Senate version.
SECTION 2.014. Repealed provisions.	SECTION 2.014. Same as Senate version.	SECTION 7.014. Same as Senate version.
SECTION 2.015. Saving and transition provisions.	SECTION 2.015. Same as Senate version.	SECTION 7.015. Same as Senate version.

**Senate Bill 2065**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION (IE)	CONFERENCE
ARTICLE 3. FOR-PROFIT LEGAL SERVICE CONTRACT COMPANIES	Same as Senate version.	ARTICLE 8. Same as Senate version.
SECTION 3.001. Section 953.001(1), Occupations Code, is amended.	SECTION 3.001. Same as Senate version.	SECTION 8.001. Same as Senate version.
SECTION 3.002. Section 953.156, Occupations Code, is amended.	SECTION 3.002. Same as Senate version.	SECTION 8.002. Same as Senate version.
SECTION 3.003. Section 953.162, Occupations Code, is amended.	SECTION 3.003. Same as Senate version.	SECTION 8.003. Same as Senate version.
SECTION 3.004. Chapter 953, Occupations Code, is amended.	SECTION 3.004. Same as Senate version.	SECTION 8.004. Same as Senate version.
SECTION 3.005. Repealed provisions.	SECTION 3.005. Same as Senate version.	SECTION 8.005. Same as Senate version.
SECTION 3.006. (a) Transition provision.	SECTION 3.006. Same as Senate version.	SECTION 8.006. Same as Senate version.
SECTION 3.007. This article takes effect September 1, 2019.	SECTION 3.007. Same as Senate version.	SECTION 8.007. Same as Senate version.
ARTICLE 4. BARBERING AND COSMETOLOGY	Same as Senate version.	ARTICLE 10. Same as Senate version.
SECTION 4.001. Section 1601.002, Occupations Code, is amended.	SECTION 4.001. Same as Senate version.	SECTION 10.001. Same as Senate version.
SECTION 4.002. Subchapter A, Chapter 1601, Occupations Code, is amended.	SECTION 4.002. Same as Senate version.	SECTION 10.002. Same as Senate version.

**Senate Bill 2065**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION (IE)	CONFERENCE
SECTION 4.003. Section 1601.256(a), Occupations Code, is amended.	SECTION 4.003. Same as Senate version.	SECTION 10.003. Same as Senate version.
<i>No equivalent provision.</i>	<p>SECTION 4. __. Section 1601.353, Occupations Code, is amended to read as follows:</p> <p>Sec. 1601.353. REQUIRED FACILITIES AND EQUIPMENT. The department may approve an application for a permit for a barber school if the school <u>meets the health and safety standards established by the commission. The commission may not establish building or facility standards that are not related to health and safety, including a requirement that a facility have a specific:</u></p> <p>(1) <u>square footage of floor space</u> <del>[is located in:</del></p> <p><del>[(A) a municipality with a population of more than 50,000 that has a building of permanent construction containing at least 2,000 square feet of floor space, including classroom and practical areas, covered in a hard surface floor covering of tile or other suitable material; or</del></p> <p><del>[(B) a municipality with a population of 50,000 or less or an unincorporated area of a county that has a building of permanent construction containing at least 1,000 square feet of floor space, including classroom and practical areas, covered in a hard surface floor covering of tile or other suitable material];</del></p> <p>(2) <u>number of chairs</u> <del>[has the following equipment:</del></p> <p><del>[(A) at least 10 student workstations that include a chair that reclines, a back bar, and a wall mirror;</del></p> <p><del>[(B) a sink behind every two workstations;</del></p> <p><del>[(C) adequate lighting for each room;</del></p> <p><del>[(D) at least 10 classroom chairs and other materials necessary to teach the required subjects; and</del></p> <p><del>[(E) access to permanent restrooms and adequate drinking</del></p>	SECTION 10.004. Same as House version.

**Senate Bill 2065**  
Conference Committee Report  
Section-by-Section Analysis

SENATE VERSION	HOUSE VERSION (IE)	CONFERENCE
	<del>fountain facilities]; or [and]</del> (3) <del>number of sinks [meets any other requirement set by the</del> <del>commission]. [FA10]</del>	
SECTION 4.004. Section 1602.002(a), Occupations Code, is amended.	SECTION 4.004. Same as Senate version.	SECTION 10.005. Same as Senate version.
SECTION 4.005. Subchapter A, Chapter 1602, Occupations Code, is amended.	SECTION 4.005. Same as Senate version.	SECTION 10.006. Same as Senate version.
SECTION 4.006. Section 1602.255(c), Occupations Code, is amended.	SECTION 4.006. Same as Senate version.	SECTION 10.007. Same as Senate version.
SECTION 4.007. Section 1602.256(a), Occupations Code, is amended.	SECTION 4.007. Same as Senate version.	SECTION 10.008. Same as Senate version.
SECTION 4.008. Section 1602.257(a), Occupations Code, is amended.	SECTION 4.008. Same as Senate version.	SECTION 10.009. Same as Senate version.
SECTION 4.009. Section 1602.2571(a), Occupations Code, is amended.	SECTION 4.009. Same as Senate version.	SECTION 10.010. Same as Senate version.
SECTION 4.010. Section 1602.259(a), Occupations Code, is amended.	SECTION 4.010. Same as Senate version.	SECTION 10.011. Same as Senate version.
SECTION 4.011. Section 1602.260(a), Occupations Code, is amended.	SECTION 4.011. Same as Senate version.	SECTION 10.012. Same as Senate version.
SECTION 4.012. Section 1602.261(a), Occupations Code, is amended.	SECTION 4.012. Same as Senate version.	SECTION 10.013. Same as Senate version.



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*No equivalent provision.*

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SECTION 4. Section 1602.303, Occupations Code, is amended by amending Subsections (b) and (c) and adding Subsection (d) to read as follows:

(b) An application for a private beauty culture school license must be accompanied by the required license fee and inspection fee and:

- (1) be on a form prescribed by the department;
- (2) be verified by the applicant; and
- (3) contain a statement that the building meets the health and safety standards established by the commission[:  
~~[(A) is of permanent construction and is divided into at least two separate areas:~~  
~~[(i) one area for instruction in theory; and~~  
~~[(ii) one area for clinic work;~~  
~~[(B) contains a minimum of:~~  
~~[(i) 2,800 square feet of floor space if the building is located in a county with a population of more than 100,000; or~~  
~~[(ii) 1,800 square feet of floor space if the building is located in a county with a population of 100,000 or less;~~  
~~[(C) has access to permanent restrooms and adequate drinking fountain facilities; and~~  
~~[(D) contains, or will contain before classes begin, the equipment established by commission rule as sufficient to properly instruct a minimum of 10 students].~~

(c) The applicant is entitled to a private beauty culture school license if:

- (1) the department determines that the applicant is financially sound and capable of fulfilling the school's commitments for training;
- (2) the applicant's facilities meet the health and safety standards established by the commission and pass an inspection conducted by the department under Section

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SECTION 10.014. Same as House version.

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	1603.103; and (3) the applicant has not committed an act that constitutes a ground for denial of a license. <u>(d) The commission may not establish building or facility standards that are not related to health and safety, including a requirement that a facility have a specific:</u> <u>(1) square footage of floor space;</u> <u>(2) number of chairs; or</u> <u>(3) number of sinks. [FA10]</u>	
SECTION 4.013. Section 1602.305(a), Occupations Code, is amended.	SECTION 4.013. Same as Senate version.	SECTION 10.015. Same as Senate version.
SECTION 4.014. Section 1602.354(a), Occupations Code, is amended.	SECTION 4.014. Same as Senate version.	SECTION 10.016. Same as Senate version.
SECTION 4.015. Section 1602.403(c), Occupations Code, is amended.	SECTION 4.015. Same as Senate version.	SECTION 10.017. Same as Senate version.
<i>No equivalent provision.</i>	SECTION 4.____. Section 1603.351, Occupations Code, is amended by adding Subsection (a-1) to read as follows: <u>(a-1) Notwithstanding any other law, the commission may adopt rules to:</u> <u>(1) authorize a school licensed under this chapter, Chapter 1601, or Chapter 1602 to account for any hours of instruction completed under those chapters on the basis of clock hours or credit hours; and</u> <u>(2) establish standards for determining the equivalency and conversion of clock hours to credit hours and credit hours to clock hours. [FA15]</u>	SECTION 10.018. Same as House version.

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SECTION 4.016. Section 1603.352(a), Occupations Code, is amended.	SECTION 4.016. Same as Senate version.	SECTION 10.019. Same as Senate version.
SECTION 4.017. Repealed provisions.	SECTION 4.017. Same as Senate version.	SECTION 10.020. Same as Senate version.
SECTION 4.018. Transition provisions.	SECTION 4.018. Same as Senate version.	SECTION 10.021. Same as Senate version.
<i>No equivalent provision.</i>	SECTION 4.__. As soon as practicable after the effective date of this Act, the Texas Commission of Licensing and Regulation shall adopt rules to implement Sections 1601.353 and 1602.303, Occupations Code, as amended by this Act. [FA10]	SECTION 10.022. Same as House version.
SECTION 4.019. Saving provisions.	SECTION 4.019. Same as Senate version.	SECTION 10.023. Same as Senate version.
ARTICLE 5. MOTOR VEHICLE TOWING, BOOTING, AND STORAGE	Same as Senate version.	ARTICLE 14. Same as Senate version.
SECTION 5.001. Section 2303.058, Occupations Code, is amended.	SECTION 5.001. Same as Senate version.	SECTION 14.001. Same as Senate version.
SECTION 5.002. Section 2308.002, Occupations Code, is amended.	SECTION 5.002. Same as Senate version.	SECTION 14.002. Same as Senate version.
SECTION 5.003. Effective September 1, 2018, Section 2308.004, Occupations Code, is amended.	SECTION 5.003. Same as Senate version.	SECTION 14.003. Same as Senate version.
SECTION 5.004. Section 2308.051(a), Occupations Code, as amended by Chapters 457 (H.B. 2548) and 845 (S.B. 2153), Acts of the 81st Legislature, Regular Session, 2009, is reenacted and amended.	SECTION 5.004. Same as Senate version.	SECTION 14.004. Same as Senate version.

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SECTION 5.005. Effective September 1, 2018, Section 2308.151, Occupations Code, is amended to read as follows:  
Sec. 2308.151. LICENSE OR LOCAL AUTHORIZATION REQUIRED. (a) Unless the person holds an appropriate license under this subchapter, a person may not:

- (1) perform towing operations; or
- (2) operate a towing company.;<sup>[3]</sup>

(b) Unless a person is authorized by a local authority under Section 2308.2085, a person may not:

- (1) ~~[(3)]~~ perform booting operations; or
- (2) ~~[(4)]~~ operate a booting company.

*No equivalent provision.*

SECTION 5.006. Section 2308.2085, Occupations Code, is amended to read as follows:

Sec. 2308.2085. LOCAL AUTHORITY REGULATION OF ~~[MUNICIPAL ORDINANCE REGULATING]~~ BOOTING ACTIVITIES ~~[COMPANIES AND OPERATORS]~~. (a) A local authority ~~[municipality]~~ may regulate, in areas in which the entity regulates parking or traffic, ~~[adopt an ordinance that is identical to the]~~ booting activities, including:

- (1) operation of booting companies and operators that operate on a parking facility;

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SECTION 5.005. Effective September 1, 2018, Section 2308.151, Occupations Code, is amended to read as follows:  
Sec. 2308.151. LICENSE OR LOCAL AUTHORIZATION REQUIRED. (a) Unless the person holds an appropriate license under this subchapter, a person may not:

- (1) perform towing operations; or
- (2) operate a towing company.;<sup>[3]</sup>

(b) Unless prohibited by a local authority under Section 2308.2085, a person may:

- (1) ~~[(3)]~~ perform booting operations; and ~~[or]~~
- (2) ~~[(4)]~~ operate a booting company.

SECTION 5.006. Section 2308.205(a), Occupations Code, is amended to read as follows:

(a) A towing company that makes a nonconsent tow shall tow the vehicle to a vehicle storage facility that is operated by a person who holds a license to operate the facility under Chapter 2303, unless:

- (1) the towing company agrees to take the vehicle to a location designated by the vehicle's owner; or
- (2) the vehicle is towed under Section 2308.259(b).

SECTION 5.007. Section 2308.2085, Occupations Code, is amended to read as follows:

Sec. 2308.2085. LOCAL AUTHORITY REGULATION OF ~~[MUNICIPAL ORDINANCE REGULATING]~~ BOOTING ACTIVITIES ~~[COMPANIES AND OPERATORS]~~. (a) A local authority ~~[municipality]~~ may regulate, in areas in which the entity regulates parking or traffic, ~~[adopt an ordinance that is identical to the]~~ booting activities, including:

- (1) operation of booting companies and operators that operate on a parking facility;

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SECTION 14.005. Same as House version.

SECTION 14.006. Same as House version.

SECTION 14.007. Same as House version.

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(2) any permit and sign requirements in connection with the booting of a vehicle; and  
~~(3) [provisions in this chapter or that imposes additional requirements that exceed the minimum standards of the booting provisions in this chapter but may not adopt an ordinance that conflicts with the booting provisions in this chapter.~~  
~~[(b) A municipality may regulate the] fees that may be charged in connection with the booting of a vehicle[; including associated parking fees].~~  
(b) Regulations adopted under this section must:  
(1) incorporate the requirements of Sections 2308.257 and 2308.258;  
(2) include procedures for vehicle owners and operators to file a complaint with the local authority regarding a booting company or operator;  
(3) provide for the imposition of a penalty on a booting company or operator for a violation of Section 2308.258; and  
(4) provide for the revocation of any permit, license, or other authority of a booting company or operator to boot vehicles if the company or operator violates Section 2308.258 more than twice in a five-year period ~~[(e)—A municipality may require booting companies to obtain a permit to operate in the municipality].~~

SECTION 5.007. Section 2308.255, Occupations Code, is amended.

SECTION 5.008. Section 2308.257, Occupations Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:  
(b) A boot operator that installs a boot on a vehicle must affix

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(2) any permit and sign requirements in connection with the booting of a vehicle; and  
~~(3) [provisions in this chapter or that imposes additional requirements that exceed the minimum standards of the booting provisions in this chapter but may not adopt an ordinance that conflicts with the booting provisions in this chapter.~~  
~~[(b) A municipality may regulate the] fees that may be charged in connection with the booting of a vehicle[; including associated parking fees].~~  
(b) Regulations adopted under this section must:  
(1) incorporate the requirements of Sections 2308.257 and 2308.258;  
(2) include procedures for vehicle owners and operators to file a complaint with the local authority regarding a booting company or operator; and [FA1(1)]  
(3) provide for the imposition of a penalty on a booting company or operator for a violation of Section 2308.258 ~~[(e) A municipality may require booting companies to obtain a permit to operate in the municipality]. [FA1(2)-(4)]~~

SECTION 5.008. Same as Senate version.

SECTION 5.009. Section 2308.257(b), Occupations Code, is amended to read as follows: [FA2(1)-(2);FA3(2)-(3)]

(b) A boot operator that installs a boot on a vehicle must affix

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SECTION 14.008. Same as Senate version.

SECTION 14.009. Same as House version.

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a conspicuous notice to the vehicle's front windshield or driver's side window stating:

- (1) that the vehicle has been booted and damage may occur if the vehicle is moved;
- (2) the date and time the boot was installed;
- (3) the name, address, and telephone number of the booting company;
- (4) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to arrange for removal of the boot;
- (5) the amount of the fee for removal of the boot and any associated parking fees; ~~and~~
- (6) notice of the right of a vehicle owner or vehicle operator to a hearing under Subchapter J; and
- (7) in the manner prescribed by the local authority, notice of the procedure to file a complaint with the local authority for violation of this chapter by a boot operator.

*(b-1) No more than one boot may be installed on a vehicle at any time.*

SECTION 5.009. Subchapter F, Chapter 2308, Occupations Code, is amended by adding Section 2308.258 to read as follows:

Sec. 2308.258. BOOT REMOVAL. (a) A booting company responsible for the installation of a boot on a vehicle shall remove the boot not later than one hour after the time the owner or operator of the vehicle contacts the company to request removal of the boot.

(b) A booting company shall waive the amount of the fee for removal of a boot, excluding any associated parking fees, if the company fails to have the boot removed within the time

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a conspicuous notice to the vehicle's front windshield or driver's side window stating:

- (1) that the vehicle has been booted and damage may occur if the vehicle is moved;
- (2) the date and time the boot was installed;
- (3) the name, address, and telephone number of the booting company;
- (4) a telephone number that is answered 24 hours a day to enable the owner or operator of the vehicle to arrange for removal of the boot;
- (5) the amount of the fee for removal of the boot and any associated parking fees; ~~and~~
- (6) notice of the right of a vehicle owner or vehicle operator to a hearing under Subchapter J; and
- (7) in the manner prescribed by the local authority, notice of the procedure to file a complaint with the local authority for violation of this chapter by a boot operator.

*No equivalent provision. (b-1) [Deleted by FA2(3); Deleted by FA3(4)]*

SECTION 5.010. Subchapter F, Chapter 2308, Occupations Code, is amended by adding Sections 2308.258 and 2308.259 to read as follows:

Sec. 2308.258. BOOT REMOVAL. (a) A booting company responsible for the installation of a boot on a vehicle shall remove the boot not later than one hour after the time the owner or operator of the vehicle contacts the company to request removal of the boot.

(b) A booting company shall waive the amount of the fee for removal of a boot, excluding any associated parking fees, if the company fails to have the boot removed within the time

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SECTION 14.010. Same as House version.

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prescribed by Subsection (a).

prescribed by Subsection (a).

(c) A booting company responsible for the installation of more than one boot on a vehicle may not charge a total amount for the removal of the boots that is greater than the amount of the fee for the removal of a single boot. [FA3(1)]

Sec. 2308.259. TOWING COMPANY'S AUTHORITY TO TOW VEHICLE FROM UNIVERSITY PARKING FACILITY. (a) In this section:

(1) "Special event" means a university-sanctioned, on-campus activity, including parking lot maintenance.

(2) "University" means:

(A) a public senior college or university, as defined by Section 61.003, Education Code; or

(B) a private or independent institution of higher education, as defined by Section 61.003, Education Code.

(b) Subject to Subsection (c), an individual designated by a university may, to facilitate a special event, request that a vehicle parked at a university parking facility be towed to another location on the university campus.

(c) A vehicle may not be towed under Subsection (b) unless signs complying with this section are installed on the parking facility for the 72 hours preceding towing enforcement for the special event and for 48 hours after the conclusion of the special event.

(d) Each sign required under Subsection (c) must:

(1) contain:

(A) a statement of:

(i) the nature of the special event; and

(ii) the dates and hours of towing enforcement; and

(B) the number, including the area code, of a telephone that is answered 24 hours a day to identify the location of a towed vehicle;

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- (2) face and be conspicuously visible to the driver of a vehicle that enters the facility;
- (3) be located:
  - (A) on the right or left side of each driveway or curb-cut through which a vehicle can enter the facility, including an entry from an alley abutting the facility; or
  - (B) at intervals along the entrance so that no entrance is farther than 25 feet from a sign if:
    - (i) curbs, access barriers, landscaping, or driveways do not establish definite vehicle entrances onto a parking facility from a public roadway other than an alley; and
    - (ii) the width of an entrance exceeds 35 feet;
- (4) be made of weather-resistant material;
- (5) be at least 18 inches wide and 24 inches tall;
- (6) be mounted on a pole, post, wall, or free-standing board; and
- (7) be installed so that the bottom edge of the sign is no lower than two feet and no higher than six feet above ground level.
- (e) If a vehicle is towed under Subsection (b), personnel must be available to:
  - (1) release the vehicle within two hours after a request for release of the vehicle; and
  - (2) accept any payment required for the release of the vehicle.
- (f) A university may not charge a fee for a tow under Subsection (b) that exceeds 75 percent of the private property tow fee established under Section 2308.0575.
- (g) A vehicle towed under Subsection (b) that is not claimed by the vehicle owner or operator within 48 hours after the conclusion of the special event may only be towed:
  - (1) without further expense to the vehicle owner or



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	<u>operator; and</u> <u>(2) to another location on the university campus.</u> <u>(h) The university must notify the owner or operator of a vehicle towed under Subsection (b) of the right of the vehicle owner or operator to a hearing under Subchapter J.</u>	
SECTION 5.010. The heading to Subchapter I, Chapter 2308, Occupations Code, is amended.	SECTION 5.011. Same as Senate version.	SECTION 14.011. Same as Senate version.
SECTION 5.011. Repealed provisions.	SECTION 5.012. Same as Senate version.	SECTION 14.012. Same as Senate version.
SECTION 5.012. Transition and savings provisions.	SECTION 5.013. Same as Senate version.	SECTION 14.013. Same as Senate version.
SECTION 5.013. Effective date.	SECTION 5.014. Same as Senate version.	SECTION 14.014. Same as Senate version.
<i>No equivalent provision.</i>	ARTICLE __. REGISTRATION OF MARKS [FA4]	ARTICLE 16. Same as House version.
<i>No equivalent provision.</i>	SECTION __.001. Section 16.051(a), Business & Commerce Code, is amended to read as follows: (a) A mark that distinguishes an applicant's goods or services from those of others is registrable unless the mark: (1) consists of or comprises matter that is immoral, deceptive, or scandalous; (2) consists of or comprises matter that may disparage, falsely suggest a connection with, or bring into contempt or disrepute: (A) a person, whether living or dead; (B) an institution; (C) a belief; or (D) a national symbol; (3) depicts, comprises, or simulates the flag, the coat of arms, the seal, the geographic outline, or other insignia of:	SECTION 16.001. Same as House version.

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- (A) the United States;
- (B) a state;
- (C) a municipality; or
- (D) a foreign nation;

(4) consists of or comprises the name, signature, or portrait of a particular living individual who has not consented in writing to the mark's registration;

(5) when used on or in connection with the applicant's goods or services:

- (A) is merely descriptive or deceptively misdescriptive of the applicant's goods or services; or
- (B) is primarily geographically descriptive or deceptively misdescriptive of the applicant's goods or services;

(6) is primarily merely a surname; or

(7) is likely to cause confusion or mistake, or to deceive, because, when used on or in connection with the applicant's goods or services, it resembles:

- (A) a mark registered in this state; or
- (B) an unabandoned mark registered with the United States Patent and Trademark Office. [FA4]

*No equivalent provision.*

ARTICLE \_\_\_\_ VOLUNTEER SECURITY SERVICES  
[FA6]

ARTICLE 11. Same as House version.

*No equivalent provision.*

SECTION \_\_.001. Subchapter N, Chapter 1702, Occupations Code, is amended by adding Section 1702.333 to read as follows:

Sec. 1702.333. PLACE OF RELIGIOUS WORSHIP; CERTAIN VOLUNTEERS. (a) In this section, "volunteer security services" means services or activities that are:

(1) regulated under this chapter; and

(2) provided without compensation or remuneration.

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	<p><u>(b) This chapter does not apply to a person who is providing volunteer security services on the premises of a church, synagogue, or other established place of religious worship.</u></p> <p><u>(c) While providing volunteer security services under Subsection (b), a person may not wear a uniform or badge that:</u></p> <p><u>(1) contains the word "security"; or</u></p> <p><u>(2) gives the person the appearance of being a peace officer, personal protection officer, or security officer. [FA6]</u></p>	
<i>No equivalent provision.</i>	ARTICLE __. INDUSTRIALIZED HOUSING AND BUILDINGS [FA7]	Same as Senate version.
<i>No equivalent provision.</i>	SECTION __.001. Section 1202.002(c), Occupations Code, is amended. [FA7]	Same as Senate version.
<i>No equivalent provision.</i>	SECTION __.002. Section 1202.003(d), Occupations Code, is amended. [FA7]	Same as Senate version.
<i>No equivalent provision.</i>	ARTICLE __. REPORT ON OCCUPATIONAL LICENSING BY COMPTROLLER [FA8]	ARTICLE 3. Same as House version.
<i>No equivalent provision.</i>	<p>SECTION __.01. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.03058 to read as follows:</p> <p><u>Sec. 403.03058. REPORT ON OCCUPATIONAL LICENSING. (a) Not later than December 31 of each even-numbered year, the comptroller shall prepare and submit to the legislature a report regarding all occupational licenses, including permits, certifications, and registrations, required by this state. The report must include:</u></p>	SECTION 3.001. Same as House version.

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- (1) for each type of license:
- (A) a description of the license;
- (B) the department with regulatory authority for the license;
- (C) the number of active licenses;
- (D) the cost of an initial application for the license and for a renewal of the license; and
- (E) the amount of state revenue generated from the issuance and renewal of the license; and
- (2) a list of all statutory provisions requiring a license that were abolished during the previous legislative session.
- (b) The comptroller shall post on its Internet website the report prepared under Subsection (a). [FA8]

*No equivalent provision.*

SECTION \_\_.02. Not later than December 31, 2018, the comptroller of public accounts shall provide the initial report to the legislature as required by Section 403.03058, Government Code, as added by this article. [FA8]

SECTION 3.002. Same as House version.

*No equivalent provision.*

ARTICLE \_\_. CERTIFICATE OF AUTHORITY; OVER-THE-COUNTER SALE OF EPHEDRINE, PSEUDOEPHEDRINE, AND NORPSEUDOEPHEDRINE BY ESTABLISHMENTS OTHER THAN PHARMACIES [FA8]

ARTICLE 4. Same as House version.

*No equivalent provision.*

SECTION \_\_.01. Sections 486.004(a) and (b), Health and Safety Code, are amended to read as follows:  
(a) The department shall collect fees for[:  
~~[(1) the issuance of a certificate of authority under this chapter; and~~  
~~[(2)]~~ an inspection performed in enforcing this chapter and rules adopted under this chapter.  
(b) The executive commissioner by rule shall set the fees in

SECTION 4.001. Same as House version.

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	amounts that allow the department to recover the biennial expenditures of state funds by the department in[ [(1) reviewing applications for the issuance of a certificate of authority under this chapter; [(2) issuing certificates of authority under this chapter; [(3) inspecting and auditing a business establishment that is issued a certificate of authority under this chapter; and [(4) otherwise] implementing and enforcing this chapter. [FA8]	
No equivalent provision.	SECTION __.02. Section 486.0142(b), Health and Safety Code, is amended to read as follows: (b) On application by a business establishment that engages in over-the-counter sales of products containing ephedrine, pseudoephedrine, or norpseudoephedrine [in accordance with a certificate of authority issued under Section 486.012], the department may grant that business establishment a temporary exemption, not to exceed 180 days, from the requirement of using a real-time electronic logging system under this chapter. [FA8]	SECTION 4.002. Same as House version.
No equivalent provision.	SECTION __.03. Section 486.012, Health and Safety Code, is repealed. [FA8]	SECTION 4.003. Same as House version.
No equivalent provision.	ARTICLE __. TITLE ATTORNEY LICENSE; ATTORNEY'S TITLE INSURANCE COMPANY [FA8]	ARTICLE 5. Same as House version.
No equivalent provision.	SECTION __.01. Section 35.001(2), Insurance Code, is amended to read as follows: (2) "Regulated entity" means each insurer, organization, person, or program regulated by the department, including: (A) a domestic or foreign, stock or mutual, life, health, or	SECTION 5.001. Same as House version.

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accident insurance company;  
(B) a domestic or foreign, stock or mutual, fire or casualty insurance company;  
(C) a Mexican casualty company;  
(D) a domestic or foreign Lloyd's plan;  
(E) a domestic or foreign reciprocal or interinsurance exchange;  
(F) a domestic or foreign fraternal benefit society;  
(G) a domestic or foreign title insurance company;  
(H) ~~[an attorney's title insurance company;~~  
~~[(H)]~~ a stipulated premium company;  
~~[(I)]~~ ~~[(H)]~~ a nonprofit legal service corporation;  
~~[(J)]~~ ~~[(K)]~~ a health maintenance organization;  
~~[(K)]~~ ~~[(L)]~~ a statewide mutual assessment company;  
~~[(L)]~~ ~~[(M)]~~ a local mutual aid association;  
~~[(M)]~~ ~~[(N)]~~ a local mutual burial association;  
~~[(N)]~~ ~~[(O)]~~ an association exempt under Section 887.102;  
~~[(O)]~~ ~~[(P)]~~ a nonprofit hospital, medical, or dental service corporation, including a company subject to Chapter 842;  
~~[(P)]~~ ~~[(Q)]~~ a county mutual insurance company;  
~~[(Q)]~~ ~~[(R)]~~ a farm mutual insurance company; and  
~~[(R)]~~ ~~[(S)]~~ an agency or agent of an insurer, organization, person, or program described by this subdivision. [FA8]

*No equivalent provision.*

SECTION \_\_.02. Section 82.002(a), Insurance Code, is amended to read as follows:  
(a) This chapter applies to each company regulated by the commissioner, including:  
(1) a domestic or foreign, stock or mutual, life, health, or accident insurance company;  
(2) a domestic or foreign, stock or mutual, fire or casualty insurance company;

SECTION 5.002. Same as House version.

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- (3) a Mexican casualty company;
- (4) a domestic or foreign Lloyd's plan insurer;
- (5) a domestic or foreign reciprocal or interinsurance exchange;
- (6) a domestic or foreign fraternal benefit society;
- (7) a domestic or foreign title insurance company;
- (8) ~~[an attorney's title insurance company;~~
- ~~[(9)]~~ a stipulated premium insurance company;
- ~~(9) [(10)]~~ a nonprofit legal service corporation;
- ~~(10) [(11)]~~ a health maintenance organization;
- ~~(11) [(12)]~~ a statewide mutual assessment company;
- ~~(12) [(13)]~~ a local mutual aid association;
- ~~(13) [(14)]~~ a local mutual burial association;
- ~~(14) [(15)]~~ an association exempt under Section 887.102;
- ~~(15) [(16)]~~ a nonprofit hospital, medical, or dental service corporation, including a company subject to Chapter 842;
- ~~(16) [(17)]~~ a county mutual insurance company; and
- ~~(17) [(18)]~~ a farm mutual insurance company. [FA8]

*No equivalent provision.*

SECTION \_\_.03. Section 83.002(a), Insurance Code, is amended to read as follows:

(a) This chapter applies to each company regulated by the commissioner, including:

- (1) a domestic or foreign, stock or mutual, life, health, or accident insurance company;
- (2) a domestic or foreign, stock or mutual, fire or casualty insurance company;
- (3) a Mexican casualty company;
- (4) a domestic or foreign Lloyd's plan insurer;
- (5) a domestic or foreign reciprocal or interinsurance exchange;
- (6) a domestic or foreign fraternal benefit society;

SECTION 5.003. Same as House version.

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- (7) a domestic or foreign title insurance company;
- (8) ~~[an attorney's title insurance company;~~
- ~~[(9)]~~ a stipulated premium insurance company;
- ~~(9) [(10)]~~ a nonprofit legal service corporation;
- ~~(10) [(11)]~~ a statewide mutual assessment company;
- ~~(11) [(12)]~~ a local mutual aid association;
- ~~(12) [(13)]~~ a local mutual burial association;
- ~~(13) [(14)]~~ an association exempt under Section 887.102;
- ~~(14) [(15)]~~ a nonprofit hospital, medical, or dental service corporation, including a company subject to Chapter 842;
- ~~(15) [(16)]~~ a county mutual insurance company; and
- ~~(16) [(17)]~~ a farm mutual insurance company. [FA8]

*No equivalent provision.*

SECTION \_\_.04. Section 554.001, Insurance Code, is amended to read as follows:  
Sec. 554.001. APPLICABILITY OF CHAPTER. This chapter applies to each insurer or health maintenance organization engaged in the business of insurance or the business of a health maintenance organization in this state, regardless of form and however organized, including:

- (1) a stock life, health, or accident insurance company;
- (2) a mutual life, health, or accident insurance company;
- (3) a stock fire or casualty insurance company;
- (4) a mutual fire or casualty insurance company;
- (5) a Mexican casualty insurance company;
- (6) a Lloyd's plan;
- (7) a reciprocal or interinsurance exchange;
- (8) a fraternal benefit society;
- (9) a title insurance company;
- (10) ~~[an attorney's title insurance company;~~
- ~~[(11)]~~ a stipulated premium company;
- ~~(11) [(12)]~~ a nonprofit legal services corporation;

SECTION 5.004. Same as House version.



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(12) ~~(43)~~ a statewide mutual assessment company;  
(13) ~~(44)~~ a local mutual aid association;  
(14) ~~(45)~~ a local mutual burial association;  
(15) ~~(46)~~ an association exempt under Section 887.102;  
(16) ~~(47)~~ a nonprofit hospital, medical, or dental service corporation, including a corporation subject to Chapter 842;  
(17) ~~(48)~~ a county mutual insurance company;  
(18) ~~(49)~~ a farm mutual insurance company; and  
(19) ~~(20)~~ an insurer or health maintenance organization engaged in the business of insurance or the business of a health maintenance organization in this state that does not hold a certificate of authority issued by the department or is not otherwise authorized to engage in business in this state.  
[FA8]

*No equivalent provision.*

SECTION \_\_.05. Section 703.001, Insurance Code, is amended to read as follows:  
Sec. 703.001. DEFINITION. In this chapter, "covered entity" means a health maintenance organization or insurer regulated by the department, including:  
(1) a stock life, health, or accident insurance company;  
(2) a mutual life, health, or accident insurance company;  
(3) a stock fire or casualty insurance company;  
(4) a mutual fire or casualty insurance company;  
(5) a Mexican casualty insurance company;  
(6) a Lloyd's plan;  
(7) a reciprocal or interinsurance exchange;  
(8) a fraternal benefit society;  
(9) a title insurance company;  
(10) ~~[an attorney's title insurance company;~~  
~~[(44)]~~ a stipulated premium company;  
(11) ~~(42)~~ a nonprofit legal services corporation;

SECTION 5.005. Same as House version.

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- (12) ~~[(13)]~~ a statewide mutual assessment company;
- (13) ~~[(14)]~~ a local mutual aid association;
- (14) ~~[(15)]~~ a local mutual burial association;
- (15) ~~[(16)]~~ an association exempt under Section 887.102;
- (16) ~~[(17)]~~ a nonprofit hospital, medical, or dental service corporation, including a corporation subject to Chapter 842;
- (17) ~~[(18)]~~ a county mutual insurance company; and
- (18) ~~[(19)]~~ a farm mutual insurance company. [FA8]

*No equivalent provision.*

SECTION \_\_.06. Section 802.051, Insurance Code, is amended to read as follows:  
Sec. 802.051. APPLICABILITY OF SUBCHAPTER. This subchapter applies to each company regulated by the commissioner, including:

- (1) a stock life, health, or accident insurance company;
- (2) a mutual life, health, or accident insurance company;
- (3) a stock fire or casualty insurance company;
- (4) a mutual fire or casualty insurance company;
- (5) a Mexican casualty company;
- (6) a Lloyd's plan;
- (7) a reciprocal or interinsurance exchange;
- (8) a fraternal benefit society;
- (9) a title insurance company;
- (10) ~~[an attorney's title insurance company;~~
- ~~[(11)]~~ a stipulated premium insurance company;
- (11) ~~[(12)]~~ a nonprofit legal service corporation;
- (12) ~~[(13)]~~ a health maintenance organization;
- (13) ~~[(14)]~~ a statewide mutual assessment company;
- (14) ~~[(15)]~~ a local mutual aid association;
- (15) ~~[(16)]~~ a local mutual burial association;
- (16) ~~[(17)]~~ an association exempt under Section 887.102;
- (17) ~~[(18)]~~ a nonprofit hospital, medical, or dental service

SECTION 5.006. Same as House version.

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	corporation, including a company subject to Chapter 842; (18) [(49)] a county mutual insurance company; and (19) [(20)] a farm mutual insurance company. [FA8]	
No equivalent provision.	SECTION __.07. Section 2551.053(a), Insurance Code, is amended to read as follows: (a) A [Except as provided by Section 2552.053(b), a] title insurance company must have a paid-up capital of at least \$1 million and a surplus of at least \$1 million. [FA8]	SECTION 5.007. Same as House version.
No equivalent provision.	SECTION __.08. Section 2602.003(2), Insurance Code, is amended to read as follows: (2) "Agent" includes: (A) a title insurance agent, as defined by Section 2501.003; and (B) [a title attorney, as defined by Section 2552.002; and [(C)] a direct operation or a title insurance company's wholly owned subsidiary or affiliate that performs the services usually and customarily performed by a title insurance agent. [FA8]	SECTION 5.008. Same as House version.
No equivalent provision.	SECTION __.09. Chapter 2552, Insurance Code, is repealed. [FA8]	SECTION 5.009. Same as House version.
No equivalent provision.	SECTION __.10. The changes in law made by this article do not affect the right of any individual licensed before the effective date of this Act to engage in the applicable occupation for the remainder of the term for which the license was issued. [FA8]	SECTION 5.010. Same as House version.
No equivalent provision.	ARTICLE __. EMERGENCY MANAGING GENERAL	ARTICLE 6. Same as House version.

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	AGENT LICENSE [FA8]	
<i>No equivalent provision.</i>	SECTION __.01. Section 4053.052, Insurance Code, is repealed. [FA8]	SECTION 6.001. Same as House version.
<i>No equivalent provision.</i>	SECTION __.02. The changes in law made by this article do not affect the right of any individual licensed before the effective date of this Act to engage in the applicable occupation for the remainder of the term for which the license was issued. [FA8]	SECTION 6.002. Same as House version.
<i>No equivalent provision.</i>	ARTICLE __. BINGO UNIT MANAGER LICENSE [FA8]	ARTICLE 12. Same as House version.
<i>No equivalent provision.</i>	SECTION __.01. Section 2001.431(4), Occupations Code, is amended to read as follows: (4) "Unit manager" means an individual <u>who is</u> <del>[licensed under this subchapter to be]</del> responsible for the revenues, authorized expenses, and inventory of a unit. [FA8]	SECTION 12.001. Same as House version.
<i>No equivalent provision.</i>	SECTION __.02. The heading to Section 2001.437, Occupations Code, is amended to read as follows: Sec. 2001.437. UNIT MANAGER <del>[- LICENSE]</del> . [FA8]	SECTION 12.002. Same as House version.
<i>No equivalent provision.</i>	SECTION __.03. Section 2001.437(c), Occupations Code, is amended to read as follows: (c) <del>[A person may not provide services as a unit manager to licensed authorized organizations that form a unit unless the person holds a unit manager license under this subchapter.]</del> A person designated as an agent under Section 2001.438(b) is not a unit manager on account of that designation for purposes	SECTION 12.003. Same as House version.

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	of this section. [FA8]	
<i>No equivalent provision.</i>	SECTION __.04. Sections 2001.437(d), (e), (f), and (g), Occupations Code, are repealed. [FA8]	SECTION 12.004. Same as House version.
<i>No equivalent provision.</i>	SECTION __.05. The changes in law made by this article do not affect the right of any individual licensed before the effective date of this Act to engage in the applicable occupation for the remainder of the term for which the license was issued. [FA8]	SECTION 12.005. Same as House version.
<i>No equivalent provision.</i>	ARTICLE __. AGRICULTURAL, INDUSTRIAL, AND WILDLIFE CONTROL FIREWORKS PERMIT [FA8]	ARTICLE 13. Same as House version.
<i>No equivalent provision.</i>	SECTION __.01. Section 2154.152(a), Occupations Code, is amended to read as follows: (a) A person must be a licensed distributor if the person: (1) imports into this state or stores, possesses, and sells Fireworks 1.3G to a licensed pyrotechnic operator or distributor or to a single public display <del>or</del> [;] multiple public display[; <del>or agricultural, industrial, and wildlife control fireworks</del> ] permit holder; or (2) imports or stores, possesses, and sells Fireworks 1.4G to a licensed jobber, retailer, or distributor in this state. [FA8]	SECTION 13.001. Same as House version.
<i>No equivalent provision.</i>	SECTION __.02. Section 2154.251(b), Occupations Code, is amended to read as follows: (b) A person may not manufacture, distribute, sell, or use fireworks in a public fireworks display <del>[or for agricultural, industrial, or wildlife control purposes]</del> without an appropriate license or permit. Fireworks manufactured, distributed, sold,	SECTION 13.002. Same as House version.

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	or used without an appropriate license or permit are illegal fireworks. [FA8]	
<i>No equivalent provision.</i>	SECTION __.03. Section 2154.203, Occupations Code, is repealed. [FA8]	SECTION 13.003. Same as House version.
<i>No equivalent provision.</i>	ARTICLE __. CHARITABLE RAFFLES [FA11]	Same as Senate version.
<i>No equivalent provision.</i>	SECTION __.001 Section 2002.056(b-1), Occupations Code, is amended. [FA11]	Same as Senate version.
<i>No equivalent provision.</i>	SECTION __.002 Saving provision. [FA11]	Same as Senate version.
<i>No equivalent provision.</i>	ARTICLE __. PLUMBING [FA12]	ARTICLE 9. Same as House version.
<i>No equivalent provision.</i>	SECTION __.001. Section 1301.704, Occupations Code, is amended by adding Subsections (c) and (d) to read as follows: <u>(c) Failure to request a hearing or accept the determination and recommended penalty within the time provided by this section waives the right to a hearing under this chapter.</u> <u>(d) If the board determines without a hearing that the person committed a violation and a penalty is to be imposed, the board shall:</u> <u>(1) provide written notice to the person of the board's findings; and</u> <u>(2) enter an order requiring the person to pay the recommended penalty.</u> [FA12]	SECTION 9.001. Same as House version.
<i>No equivalent provision.</i>	SECTION __.002. Section 1301.705(a), Occupations Code, is amended to read as follows: (a) If the person requests a hearing [ <del>or fails to respond in a</del>	SECTION 9.002. Same as House version.

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~~timely manner to the notice]~~, the enforcement committee shall set a hearing and give written notice of the hearing to the person. An administrative law judge of the State Office of Administrative Hearings shall hold the hearing. [FA12]

*No equivalent provision.*

SECTION \_\_.003. The change in law made by this article to Section 1301.704, Occupations Code, applies only to imposition of an administrative penalty against a person who receives notice under Section 1301.703(b), Occupations Code, on or after the effective date of this Act. An administrative penalty for which notice under that section is received before the effective date of this Act is governed by the law in effect on the date the notice was received, and the former law is continued in effect for that purpose. [FA12]

SECTION 9.003. Same as House version.

*No equivalent provision.*

ARTICLE \_\_. **PROVISION OF TRANSPORTATION SERVICES TO CERTAIN SCHOOL DISTRICT** [FA17]

ARTICLE 15. **CERTAIN LOCAL TRANSPORTATION ENTITIES AND CONTRACTS**

*No equivalent provision.*

SECTION \_\_.001 (a) This Article applies on to a county board of education that provides, without competitive bidding, transportation services in a county with a population of 2.2 million or less.

SECTION 15.001. (a) This article applies only to a county board of education, ***board of county trustees, or office of county school superintendent*** that provides, without competitive bidding, transportation services in a county with a population of 2.2 million or more.

(b) *Transportation services must be placed by bid and if a contract currently exist*, it shall be wound down in the manner described below.

(b) ***A contract for transportation services is subject to competitive bidding, and if on the effective date of this Act there is an existing contract for transportation services to which a county board of education, board of county trustees, or office of county school superintendent is a party, it shall be wound down in the manner described by Subsections (c)-(r) of this section.***

Each county board of education, board of county school trustees, and office of county school superintendent in a

(c) Each county board of education, board of county school trustees, and office of county school superintendent in a

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county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000 is abolished effective November 15, 2017, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. Subsections (b)-(q) of this section do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection.

(b) Not later than November 15, 2017, a dissolution committee shall be formed for each county board of education or board of county school trustees to be abolished as provided by Subsection (a) of this section. The dissolution committee is responsible for all financial decisions for each county board of education or board of county school trustees abolished by this Act, including asset distribution and payment of all debt obligations.

(c) A dissolution committee required by this Act shall be appointed by the comptroller and include:

(1) one financial advisor;

(2) the superintendent *or the superintendent's designee* of each participating component school district *that chooses to participate in the dissolution committee*;

(3) one certified public accountant;

(4) one auditor who holds a license or other professional credential;

(5) one bond counsel who holds a license or other

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county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000 is abolished effective November 15, 2017, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. **Subsections (d)-(s)** of this section do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection.

(d) Not later than November 15, 2017, a dissolution committee shall be formed for each county board of education or board of county school trustees to be abolished as provided by **Subsection (c)** of this section. The dissolution committee is responsible for all financial decisions for each county board of education or board of county school trustees abolished by this Act, including asset distribution and payment of all debt obligations.

(e) A dissolution committee required by this Act shall be appointed by the comptroller and include:

(1) one financial advisor;

(2) the superintendent of **the** participating component school district **with the largest number of students in average daily attendance or the superintendent's designee**;

(3) one certified public accountant;

(4) one auditor who holds a license or other professional credential; and

(5) one bond counsel who holds a license or other



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professional credential;

*(6) one member of the county commissioners court;*

*(7) one additional representative appointed by the commissioner of education.*

(d) A dissolution committee created under this Act is subject to the open meetings requirements under Chapter 551, Government Code, and public information requirements under Chapter 552, Government Code.

(e) Members of a dissolution committee may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the dissolution committee.

(f) Subject to the other requirements of this Act, the dissolution committee shall determine the manner in which all assets, liabilities, contracts, and services of the county board of education or board of county school trustees abolished by this Act are divided, transferred, or discontinued. The dissolution committee shall create a sinking fund to deposit all money received in the abolishment of each county board of education or board of county school trustees for the payment of all debts of the county board of education or board of county school trustees.

(g) The dissolution committee shall continue providing transportation services to participating component school districts for the 2017-2018 school year. The dissolution committee shall maintain current operations and personnel needed to provide the transportation services.

(h) At the end of the 2017-2018 school year all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the amount of buses currently assigned to each district. The dissolution committee shall audit and

professional credential.

(f) A dissolution committee created under this Act is subject to the open meetings requirements under Chapter 551, Government Code, and public information requirements under Chapter 552, Government Code.

(g) Members of a dissolution committee may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the dissolution committee.

(h) Subject to the other requirements of this Act, the dissolution committee shall determine the manner in which all assets, liabilities, contracts, and services of the county board of education or board of county school trustees abolished by this Act are divided, transferred, or discontinued. The dissolution committee shall create a sinking fund to deposit all money received in the abolishment of each county board of education or board of county school trustees for the payment of all debts of the county board of education or board of county school trustees.

(i) The dissolution committee shall continue providing transportation services to participating component school districts for the 2017-2018 school year. The dissolution committee shall maintain current operations and personnel needed to provide the transportation services.

(j) At the end of the 2017-2018 school year all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the *proportion that the membership in each district bears to total membership in the county as of*

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confirm assignment of buses by vehicle identification numbers or some other agreed upon means assigned to applicable district. Final distribution and assignment of these assets will be not later than September 1, 2018, at no cost to the districts.

(i) The dissolution committee may employ for the 2017-2018 school year one person to assist in the abolishment of the county board of education or board of county school trustees.

(j) On **September 1, 2017**, the participating component school district with the largest number of students in average daily attendance has the right of first refusal to buy, at fair market value, the administrative building of the county board of education or board of county school trustees.

(k) An ad valorem tax assessed by a county board of education or board of county school trustees shall continue to be assessed by the county on behalf of the board for the purpose of paying the principal of and interest on any bonds issued by the county board of education or board of county school trustees until all bonds are paid in full. This subsection applies only to a bond issued before the effective date of this Act for which the tax receipts were obligated. On payment of all bonds issued by the county board of education or board of county school trustees the ad valorem tax may not be assessed.

(l) In the manner provided by rule of the commissioner of education, the county shall collect and use any delinquent taxes imposed by or on behalf of the county board of education or board of county school trustees.

(m) The dissolution committee shall distribute the assets remaining after discharge of the liabilities of the county board of education or board of county school trustees to the component school districts in the county in proportionate

September 1, 2018, at no cost to the districts.

(k) The dissolution committee may employ for the 2017-2018 school year one person to assist in the abolishment of the county board of education or board of county school trustees.

(l) On **November 15, 2017**, the participating component school district with the largest number of students in average daily attendance has the right of first refusal to buy, at fair market value, the administrative building of the county board of education or board of county school trustees.

(m) An ad valorem tax assessed by a county board of education or board of county school trustees shall continue to be assessed by the county on behalf of the board for the purpose of paying the principal of and interest on any bonds issued by the county board of education or board of county school trustees until all bonds are paid in full. This subsection applies only to a bond issued before the effective date of this Act for which the tax receipts were obligated. On payment of all bonds issued by the county board of education or board of county school trustees the ad valorem tax may not be assessed.

(n) In the manner provided by rule of the commissioner of education, the county shall collect and use any delinquent taxes imposed by or on behalf of the county board of education or board of county school trustees.

(o) The dissolution committee shall distribute the assets remaining after discharge of the liabilities of the county board of education or board of county school trustees to the component school districts in the county in proportionate

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shares equal to the proportion that the *amount of money a district has submitted* to the county *board of education or board of county school trustees has to the total amount of money submitted by all districts*. The dissolution committee shall liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. A person authorized by the dissolution committee shall execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

(n) The dissolution committee shall encourage the component school districts to:

(1) continue sharing services received through the county board of education or board of county school trustees; and

(2) give preference to private sector contractors to continue services provided by the county board of education or board of county school trustees.

(o) The chief financial officer and financial advisor for the county board of education or board of county school trustees shall provide assistance to the dissolution committee in abolishing the county board of education or board of county school trustees.

(p) The Texas Education Agency shall provide assistance to a dissolution committee in the distribution of assets, liabilities, contracts, and services of a county board of education or board of county school trustees abolished by this Act.

(q) Any dissolution committee created as provided by this Act is abolished on the date all debt obligations of the county board of education or board of county school trustees are paid in full and all assets distributed to component school districts.

[FA17]

*No equivalent provision.*

SECTION \_\_.002. Chapter 266 (S.B. 394), Acts of the 40th

shares equal to the proportion that the *membership in each district bears to total membership in the county as of September 1, 2017*. The dissolution committee shall liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. A person authorized by the dissolution committee shall execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

(p) The dissolution committee shall encourage the component school districts to:

(1) continue sharing services received through the county board of education or board of county school trustees; and

(2) give preference to private sector contractors to continue services provided by the county board of education or board of county school trustees.

(q) The chief financial officer and financial advisor for the county board of education or board of county school trustees shall provide assistance to the dissolution committee in abolishing the county board of education or board of county school trustees.

(r) The Texas Education Agency shall provide assistance to a dissolution committee in the distribution of assets, liabilities, contracts, and services of a county board of education or board of county school trustees abolished by this Act.

(s) Any dissolution committee created as provided by this Act is abolished on the date all debt obligations of the county board of education or board of county school trustees are paid in full and all assets distributed to component school districts.

SECTION 15.002. Substantially the same as House version.

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Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes), is repealed. [FA17]

*No equivalent provision.*

ARTICLE \_\_. **MISCELLANEOUS PROVISIONS**

ARTICLE 2. **NOTARIES PUBLIC**

*No equivalent provision.*

SECTION \_\_. Section 17.46(b), Business & Commerce Code, as amended by Chapters 1023 (H.B. 1265) and 1080 (H.B. 2573), Acts of the 84th Legislature, Regular Session, 2015, is reenacted and amended to read as follows:

(b) Except as provided in Subsection (d) of this section, the term "false, misleading, or deceptive acts or practices" includes, but is not limited to, the following acts:

- (1) passing off goods or services as those of another;
- (2) causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services;
- (3) causing confusion or misunderstanding as to affiliation, connection, or association with, or certification by, another;
- (4) using deceptive representations or designations of geographic origin in connection with goods or services;
- (5) representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which the person does not;
- (6) representing that goods are original or new if they are deteriorated, reconditioned, reclaimed, used, or secondhand;
- (7) representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;
- (8) disparaging the goods, services, or business of another by false or misleading representation of facts;

SECTION 2.001. Same as House version.

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- (9) advertising goods or services with intent not to sell them as advertised;
- (10) advertising goods or services with intent not to supply a reasonable expectable public demand, unless the advertisements disclosed a limitation of quantity;
- (11) making false or misleading statements of fact concerning the reasons for, existence of, or amount of price reductions;
- (12) representing that an agreement confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law;
- (13) knowingly making false or misleading statements of fact concerning the need for parts, replacement, or repair service;
- (14) misrepresenting the authority of a salesman, representative or agent to negotiate the final terms of a consumer transaction;
- (15) basing a charge for the repair of any item in whole or in part on a guaranty or warranty instead of on the value of the actual repairs made or work to be performed on the item without stating separately the charges for the work and the charge for the warranty or guaranty, if any;
- (16) disconnecting, turning back, or resetting the odometer of any motor vehicle so as to reduce the number of miles indicated on the odometer gauge;
- (17) advertising of any sale by fraudulently representing that a person is going out of business;
- (18) advertising, selling, or distributing a card which purports to be a prescription drug identification card issued under Section 4151.152, Insurance Code, in accordance with rules adopted by the commissioner of insurance, which offers a discount on the purchase of health care goods or services from a third party provider, and which is not evidence of insurance coverage, unless:

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(A) the discount is authorized under an agreement between the seller of the card and the provider of those goods and services or the discount or card is offered to members of the seller;

(B) the seller does not represent that the card provides insurance coverage of any kind; and

(C) the discount is not false, misleading, or deceptive;

(19) using or employing a chain referral sales plan in connection with the sale or offer to sell of goods, merchandise, or anything of value, which uses the sales technique, plan, arrangement, or agreement in which the buyer or prospective buyer is offered the opportunity to purchase merchandise or goods and in connection with the purchase receives the seller's promise or representation that the buyer shall have the right to receive compensation or consideration in any form for furnishing to the seller the names of other prospective buyers if receipt of the compensation or consideration is contingent upon the occurrence of an event subsequent to the time the buyer purchases the merchandise or goods;

(20) representing that a guaranty or warranty confers or involves rights or remedies which it does not have or involve, provided, however, that nothing in this subchapter shall be construed to expand the implied warranty of merchantability as defined in Sections 2.314 through 2.318 and Sections 2A.212 through 2A.216 to involve obligations in excess of those which are appropriate to the goods;

(21) promoting a pyramid promotional scheme, as defined by Section 17.461;

(22) representing that work or services have been performed on, or parts replaced in, goods when the work or services were not performed or the parts replaced;

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(23) filing suit founded upon a written contractual obligation of and signed by the defendant to pay money arising out of or based on a consumer transaction for goods, services, loans, or extensions of credit intended primarily for personal, family, household, or agricultural use in any county other than in the county in which the defendant resides at the time of the commencement of the action or in the county in which the defendant in fact signed the contract; provided, however, that a violation of this subsection shall not occur where it is shown by the person filing such suit that the person neither knew or had reason to know that the county in which such suit was filed was neither the county in which the defendant resides at the commencement of the suit nor the county in which the defendant in fact signed the contract;

(24) failing to disclose information concerning goods or services which was known at the time of the transaction if such failure to disclose such information was intended to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed;

(25) using the term "corporation," "incorporated," or an abbreviation of either of those terms in the name of a business entity that is not incorporated under the laws of this state or another jurisdiction;

(26) selling, offering to sell, or illegally promoting an annuity contract under Chapter 22, Acts of the 57th Legislature, 3rd Called Session, 1962 (Article 6228a-5, Vernon's Texas Civil Statutes), with the intent that the annuity contract will be the subject of a salary reduction agreement, as defined by that Act, if the annuity contract is not an eligible qualified investment under that Act or is not registered with the Teacher Retirement System of Texas as required by Section 8A of that

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Act;

(27) taking advantage of a disaster declared by the governor under Chapter 418, Government Code, by:

(A) selling or leasing fuel, food, medicine, or another necessity at an exorbitant or excessive price; or

(B) demanding an exorbitant or excessive price in connection with the sale or lease of fuel, food, medicine, or another necessity;

(28) using the translation into a foreign language of a title or other word, including "attorney," "immigration consultant," "immigration expert," "lawyer," "licensed," "notary," and "notary public," in any written or electronic material, including an advertisement, a business card, a letterhead, stationery, a website, or an online video, in reference to a person who is not an attorney in order to imply that the person is authorized to practice law in the United States;

(29) [~~(28)~~] delivering or distributing a solicitation in connection with a good or service that:

(A) represents that the solicitation is sent on behalf of a governmental entity when it is not; or

(B) resembles a governmental notice or form that represents or implies that a criminal penalty may be imposed if the recipient does not remit payment for the good or service;

(30) [~~(29)~~] delivering or distributing a solicitation in connection with a good or service that resembles a check or other negotiable instrument or invoice, unless the portion of the solicitation that resembles a check or other negotiable instrument or invoice includes the following notice, clearly and conspicuously printed in at least 18-point type:

"SPECIMEN-NON-NEGOTIABLE";

(31) [~~(30)~~] in the production, sale, distribution, or promotion of a synthetic substance that produces and is intended to



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produce an effect when consumed or ingested similar to, or in excess of, the effect of a controlled substance or controlled substance analogue, as those terms are defined by Section 481.002, Health and Safety Code:

- (A) making a deceptive representation or designation about the synthetic substance; or
- (B) causing confusion or misunderstanding as to the effects the synthetic substance causes when consumed or ingested; or
- ~~(32) [(31)]~~ a licensed public insurance adjuster directly or indirectly soliciting employment, as defined by Section 38.01, Penal Code, for an attorney, or a licensed public insurance adjuster entering into a contract with an insured for the primary purpose of referring the insured to an attorney without the intent to actually perform the services customarily provided by a licensed public insurance adjuster, provided that this subdivision may not be construed to prohibit a licensed public insurance adjuster from recommending a particular attorney to an insured. [FA16]

*No equivalent provision.*

SECTION \_\_. \_\_ Section 406.017, Government Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

- (a) A person commits an offense if the person is a notary public and the person:
  - (1) states or implies that the person is an attorney licensed to practice law in this state;
  - (2) solicits or accepts compensation to prepare documents for or otherwise represent the interest of another in a judicial or administrative proceeding, including a proceeding relating to immigration or admission to the United States, United States citizenship, or related matters;
  - (3) solicits or accepts compensation to obtain relief of any

SECTION 2.002. Same as House version.

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kind on behalf of another from any officer, agency, or employee of this state or the United States;  
(4) uses the phrase "notario" or "notario publico" to advertise the services of a notary public, whether by signs, pamphlets, stationery, or other written communication or by radio or television; or  
(5) advertises the services of a notary public in a language other than English, whether by signs, pamphlets, stationery, or other written communication or by radio or television, if the person does not post or otherwise include with the advertisement a notice that complies with Subsection (b).  
(a-1) A person does not violate this section by offering or providing language translation or typing services and accepting compensation. [FA16]

*No equivalent provision.*

SECTION \_\_. The change in law made by this Act to Section 17.46(b), Business & Commerce Code, applies only to a cause of action that accrues on or after the effective date of this Act. A cause of action that accrued before the effective date of this Act is governed by the law in effect immediately before the effective date of this Act, and that law is continued in effect for that purpose. [FA16]

SECTION 2.003. Substantially the same as House version.

*No equivalent provision.*

SECTION \_\_. The change in law made by this Act to Section 406.017, Government Code, applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date. [FA16]

SECTION 2.004. Substantially the same as House version.

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<i>No equivalent provision.</i>	SECTION __. __ To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes. [FA16]	
ARTICLE 6. CONFLICT OF LAW; EFFECTIVE DATE	Same as Senate version.	ARTICLE 17. Same as Senate version.
SECTION 6.001. To the extent of any conflict, this Act prevails over another Act of the 85th Legislature, Regular Session, 2017, relating to nonsubstantive additions to and corrections in enacted codes.	SECTION 6.001. Same as Senate version.	SECTION 17.001. Same as Senate version.
SECTION 6.002. This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.	SECTION 6.002. Same as Senate version.	<i>No equivalent provision.</i>  <i>[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]</i>
<i>No equivalent provision.</i>	Same as Senate version.	SECTION 17.002. To the extent of any conflict, Sections 1601.353 and 1602.303, Occupations Code, as amended by this Act, prevail over another Act of the 85th Legislature, Regular Session, 2017.  <i>[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]</i>
<i>No equivalent provision.</i>	Same as Senate version.	SECTION 17.003. It is the intent of the 85th Legislature, Regular Session, 2017, that the amendments made by this Act to Section 17.46(b), Business & Commerce Code, be

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harmonized as provided by Section 311.025(b), Government Code, as if the amendments were enacted without reference to each other.

*[The conference committee may have exceeded the limitations imposed on its jurisdiction, but only the presiding officer can make the final determination on this issue.]*

SECTION 6.003. Effective date.

SECTION 6.003. Same as Senate version.

SECTION 17.004. Same as Senate version.

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 27, 2017

TO: Honorable Dan Patrick, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB2065 by Hancock (Relating to the licensing and regulation of certain occupations and activities.), Conference Committee Report

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB2065, Conference Committee Report: a positive impact of \$15,677 through the biennium ending August 31, 2019. However, the bill would result in a net negative impact to General Revenue of (\$1,169,563) in 2020, increasing in subsequent years.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2018	\$15,601
2019	\$76
2020	(\$1,169,563)
2021	(\$1,242,542)
2022	(\$1,322,487)

All Funds, Five-Year Impact:

Fiscal Year	Probable Revenue (Loss) from General Revenue Fund 1	Probable Savings from General Revenue Fund 1	Probable (Cost) from General Revenue Fund 1	Probable Revenue Gain from General Revenue Fund 1
2018	(\$42,700)	\$53,775	(\$65,474)	\$70,000
2019	(\$52,750)	\$53,775	(\$130,949)	\$130,000
2020	(\$1,310,940)	\$145,007	(\$193,630)	\$190,000
2021	(\$1,422,919)	\$145,007	(\$193,630)	\$229,000
2022	(\$1,544,864)	\$145,007	(\$193,630)	\$271,000

Fiscal Year	Change in Number of State Employees from FY 2017
2018	0.0
2019	1.0
2020	0.5
2021	0.5
2022	0.5

**Fiscal Analysis**

Article 1 of the bill would repeal the authority of the Department of Licensing and Regulation (TDLR) to regulate vehicle protection product warrantors.

Article 2 of the bill would repeal the requirement that temporary common worker employers hold a state issued license to operate.

Article 3 of the bill would remove for-profit legal service contracts from regulation by the State. It would make violation of the chapter a deceptive trade practice actionable under the Business & Commerce Code. This article would take effect September 1, 2019.

Article 4 of the bill would abolish shampoo apprentice permits and shampoo specialty certificates.

Article 5 of the bill would repeal state licensing and regulation requirements for boot operators and booting companies effective September 1, 2018. The bill would authorize local authorities to regulate booting activities in areas where the authorities regulate parking or traffic, including the authority to incorporate requirements for booting companies and operators, establish procedures for vehicle owners and operators to file complaints, provide for the imposition of penalties on a booting company or operator, and provide for the revocation of the authority to boot vehicles. Except as otherwise provided by this article, this article would take effect immediately with a two-thirds vote in each house, otherwise it would take effect September 1, 2017.

The bill would amend the Government, Health and Safety, Insurance, and Occupations Code relating to reports on and the regulation of certain licensed activities and related organizations. The bill would require the Comptroller of Public Accounts (CPA) to prepare and submit to the Legislature a report on all occupational licenses not later than December 31 of each even-numbered year. The bill would eliminate the issuance of certificates of authority for over-the-counter sale of ephedrine, pseudoephedrine, and nonpseudoephedrine by establishments other than pharmacies. The bill would reduce the scope of individuals required to purchase fireworks permits and licenses. The bill would repeal statute applicable to attorney's title insurance companies, title attorneys, managing general agents, and unit managers.

The bill would amend the Occupations Code to prohibit the Texas Commission of Licensing and Regulation from establishing building or facility standards for barber or private beauty culture schools that are not related to health and safety.

The bill would require each county board of education, board of county school trustees, or office of county school superintendent in a county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000 to be abolished effective November 15, 2017, unless the entity was continued by voters through an election in November 2017. The bill would provide for the process by which each applicable entity should be dissolved. Unless otherwise specified, the bill would take effect September 1, 2017.

## Methodology

For Article 1 of the bill, the repeal of the authority of the Department of Licensing and Regulation (TDLR) to regulate vehicle protection product warrantors would result in a loss to General Revenue of \$36,300 per fiscal year, according to TDLR.

For Article 2, TDLR estimates repealing the requirements for temporary common worker employers would result in a revenue loss of approximately \$3,700 per year.

As included in Article 3 of the bill, the deregulation of for-profit legal service contracts would result in a loss of revenue to the State. Companies, administrators and sales representatives pay fees for new and renewal applications, which would no longer be collected. Additionally, each company currently pays an annual fee to the Department of Licensing and Regulation (TDLR) equal to 1.7% of the amount a company collected from legal service contracts sold in Texas in the current year minus the amount the company paid to the state in franchise taxes in the same year. According to analysis by TDLR, the revenue from these fees has increased annually at an approximate rate of 8.9% and it was assumed this growth would continue. Based on information provided by TDLR and the Comptroller of Public Accounts (CPA), the CPA estimates a loss in revenue to the General Revenue Fund of approximately \$1.3 million in fiscal year 2020 and increasing to \$1.5 million by fiscal year 2022.

According to the Texas Department of Insurance (TDI), should these entities no longer be subject to state regulation due to the provisions of the bill, TDI would no longer assess a maintenance tax for these entities as directed in Texas Insurance Code Chapter 260. Based on information provided by TDI, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources and the provisions of the bill would not have a significant impact on maintenance tax revenue collections.

For Article 4 of the bill, the Texas Department of Licensing and Regulation (TDLR) and Comptroller of Public Accounts estimate repealing shampoo apprentice permits and shampoo specialty certificates would result in a revenue loss to the state General Revenue Fund of approximately \$2,700 per fiscal year.

For Article 5 of the bill, according to information provided by TDLR, there have been an average of 12 booting companies, and they pay a fee of \$250 per license, resulting in a General Revenue loss of \$3,000 per fiscal year beginning in fiscal year 2019. There have also been an average of 94 booting operators paying fees of \$75 per licensee, which would result in a loss \$7,050 per fiscal year beginning in fiscal year 2019.

For Articles 1-5 of the bill together, TDLR estimates the reduction in duties and responsibilities would result in a reduction of 1 FTE in fiscal year 2018 and 2019 for a savings of \$53,775 each year, and 2.5 FTEs and a savings of \$145,007 per fiscal year beginning in fiscal year 2020.

The CPA indicates there would be a cost to produce a biennial report on occupational licensing; this analysis assumes that the cost could be absorbed within existing resources.

Based on information provided by the Department of State Health Services, Texas Department of Insurance, Texas Lottery Commission, and Office of Court Administration, this analysis assumes the duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources. The CPA is required to provide the initial report to the Legislature no later than December 31, 2018.

TDLR estimates that removing certain facility requirements from barber and private beauty culture schools result in 100 extra new schools in both programs applying for permits in each of the first three years and then drop to 70 in subsequent years. TDLR's current fees in both programs is \$300 for a new school application fee and \$200 for the initial inspection fee. Each school is also required to be inspected twice a year at \$200 per inspection. This would result in a gain to General Revenue of \$70,000 in application fees and inspection fees in the fiscal year 2018 increasing to \$271,000 in fiscal year 2022.

TDLR estimates the increased inspections and permitting would require two .05 FTEs in fiscal year 2018, 2.0 FTEs in fiscal year 2019, and 3.0 FTEs in subsequent years. This would result in a cost of \$45,151 in salary and personnel costs, \$15,623 in employee benefits, and \$4,700 in travel in fiscal year 2018. Staff costs would increase to \$129,888 in salaries and payroll costs, \$44,942 in employee benefits, and \$18,800 in travel in fiscal year 2022.

This analysis assumes the provisions of this bill relating to county education departments would apply only to Dallas County. The Texas Education Agency anticipates that any cost to the state associated with implementing the provisions of the bill would be minimal.

Based on the analysis of the Secretary of State, Office of Attorney General, Board of Plumbing Examiners, Department of Public Safety, and State Office of Administrative Hearings, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

**Local Government Impact**

TEA indicates that there would be an impact to the districts that use the services of the affected county education department. According to TEA, the county education department that would be affected by the bill provide services such as transporting students and assisting in the education of special education students. Under the provisions of the bill local school districts would need to begin to provide these services instead.

TEA indicates that any state aid that was previously distributed to the county education departments for their services would presumably be retained by the local school districts, therefore the net fiscal impact to local governments should be minimal.

**Source Agencies:** 302 Office of the Attorney General, 304 Comptroller of Public Accounts, 307 Secretary of State, 360 State Office of Administrative Hearings, 362 Texas Lottery Commission, 405 Department of Public Safety, 452 Department of Licensing and Regulation, 454 Department of Insurance, 456 Board of Plumbing Examiners, 537 State Health Services, Department of, 701 Texas Education Agency, 710 Texas A&M University System Administrative and General Offices, 720 The University of Texas System Administration, 758 Texas State University System, 768 Texas Tech University System Administration, 769 University of North Texas System Administration, 783 University of Houston System Administration

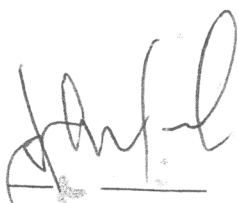
**LBB Staff:** UP, JQ, JGA, CL, EH



**Certification of Compliance with**  
**Rule 13, Section 6(b), House Rules of Procedure**

Rule 13, Section 6(b), House Rules of Procedure, requires a copy of a conference committee report signed by a majority of each committee of the conference to be furnished to each member of the committee in person or, if unable to deliver in person, by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Rule 13, Section 10(a). The paper copies of the report submitted to the chief clerk under Rule 13, Section 10(b), must contain a certificate that the requirement of Rule 13, Section 6(b), has been satisfied, and that certificate must be attached to the copy of the report furnished to each member under Rule 13, Section 10(d). Failure to comply with this requirement is not a sustainable point of order under Rule 13.

I certify that a copy of the conference committee report on SB 2065 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Rule 13, Section 10(b), House Rules of Procedure.

  
(name)

Kneipel

5/27/17  
(date)

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